

Council Agenda



Contact: Steven Corrigan, Democratic Services Manager

Telephone number 07717 274704

Email: steven.corrigan@southandvale.gov.uk

Date: 2 February 2021

Website: www.whitehorsedc.gov.uk

Summons to attend a meeting of Council

to be held on Wednesday 10 February 2021 at 7.00 pm
As a Virtual Meeting

A handwritten signature in cursive script, appearing to read "M Reed".

Margaret Reed
Head of Legal and Democratic

To watch this virtual meeting, follow this link to the council's YouTube channel:
<https://www.youtube.com/channel/UCTj2pCic8vzucpzlaSWE3UQ>

Alternative formats of this publication are available on request. These include large print, Braille, audio, email and easy read. For this or any other special requirements (such as access facilities) please contact the officer named on this agenda. Please give as much notice as possible before the meeting.

Agenda

Open to the public including the press

1. Apologies for absence

To record apologies for absence.

2. Minutes

(Pages 10 - 15)

To adopt and sign as a correct record the Council minutes of the meeting held on 9 December 2020.

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. Treasury management and investment strategy 2021/22

(Pages 16 - 54)

Cabinet, at its meeting on 5 February 2021, will consider a report on the council's treasury management and investment strategy for 2021/22.

The Joint Audit and Governance Committee considered the report at its meeting on 26 January 2021 and had not recommended any adjustments to the strategy.

The committee resolved to recommend Cabinet to approve the treasury management strategy, the prudential indicators and limits for 2021/22 to 2023/24 and the annual investment strategy 2021/22 as set out in the report.

The report of the interim head of finance, which Cabinet will consider on 5 February

2021, is attached.

The recommendations of Cabinet will be circulated to all councillors following the Cabinet meeting.

8. Capital strategy 2021/22 to 2030/31

(Pages 55 - 68)

Cabinet, at its meeting on 5 February 2021, will consider a report on the capital strategy for 2021/22 to 2030/31.

The report of the interim head of finance, which Cabinet will consider on 5 February 2021, is attached.

The recommendations of Cabinet will be circulated to all councillors following the Cabinet meeting.

9. Revenue budget 2021/22 and capital programme to 2025/26

Cabinet, at its meeting on 5 February 2021, will consider a report on the draft revenue budget 2021/22, and the capital programme to 2025/26.

The report of the interim head of finance, which Cabinet will consider on 5 February 2021, will be circulated to all councillors.

The recommendations of Cabinet will be circulated to all councillors following the Cabinet meeting.

The Scrutiny Committee will consider this report at its meeting on 8 February 2021. Any views will be reported to Council.

10. Council tax 2021/22

To consider the report of the interim head of finance on the setting of the council tax for the 2021/22 financial year - report to follow.

11. Review of Joint Statement of Licensing Policy

(Pages 69 - 115)

At its meeting on 28 January 2021, the Licensing Acts Committee considered the report of the Head of Housing and Environment. This proposed a statement of licensing policy, jointly developed with South Oxfordshire District Council. A copy of the report of the Head of Housing and Environment considered by the Licensing Acts Committee and the draft policy agreed for recommendation to Council is attached.

Recommendations to Council: to

1. authorise the Head of Housing and Environment to make minor editorial changes to the Joint Statement of Licensing Policy, and
2. adopt the proposed Joint Statement of Licensing Policy with effect from 12 February

2021.

12. Pay policy statement 2021/22

(Pages 116 - 120)

To consider the report of the head of corporate services on the adoption of a pay policy statement to meet the requirements of the Localism Act - attached.

13. Councillors' allowances scheme

(Pages 121 - 152)

To consider the report of the head of legal and democratic, and the recommendations of the Joint Independent Remuneration Panel, on a revised councillors' allowances scheme to run from 1 April 2021 - attached.

14. Progress on approved council motions

(Pages 153 - 169)

To note progress on the approved Council motions – attached.

15. Update on Oxfordshire Growth Board

To receive an update on the Oxfordshire Growth Board from Councillor Neil Fawcett, Cabinet member for strategic partnerships and place.

16. Report of the leader of the council

1. To receive the report of the leader of the council.
2. Urgent cabinet decisions

In accordance with the Scrutiny Committee Procedure Rules, a Cabinet or Cabinet member decision can be taken as a matter of urgency, if any delay by the call in process would seriously prejudice the council's or the public's interest or that the decision cannot reasonably be deferred. Treating the decision as a matter of urgency must be agreed by the chair of the Scrutiny Committee and must be reported to Council, together with the reasons for urgency.

Council is requested to note the details of the following urgent decision.

Additional Restrictions Grant – Round 2

On 20 January 2021, Councillor Bethia Thomas, Cabinet member for Community Engagement, took a decision to approve the Vale of White Horse District Council's Additional Restrictions Grant Scheme Round 2 and authorise the interim head of development and regeneration, in consultation with the interim Head of Finance to award grants.

The chair of the Scrutiny Committee agreed to waive call in to allow the grants to be awarded immediately and during the national lockdown period of 5 January to 15 February 2021.

17. Questions on notice

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

1. Question from Councillor Eric Batts to Councillor Catherine Webber, Cabinet member for Climate Emergency and Environment.

Whilst I am sure the cabinet member for Climate Emergency and the Environment will agree with me that the suspension of the garden collection service beyond the usual Christmas period due to staff sickness has been very unfortunate, we wish all the Biffa staff a speedy recovery. However, this a significant inconvenience to the residents of the Vale who avail themselves and may I add, pay for this service. Could the Cabinet member please advise how many households pay for this service and are impacted by the suspension, and what the income from this service has been for the first three quarters of the current financial year?

2. Question from Councillor Nathan Boyd to Councillor Emily Smith, Leader of the council

We note with interest the flurry of letter writing to government and various local bodies to try and influence policies and represent our residents. With the push for transparency and the Corporate Plan focus on this matter, could the Leader please check and confirm by listing out these letters over the last three months to ensure that we have been made aware of all letters of influence and requests that have been sent by this administration either as Leader, Deputy Leader or by our Chief Executive on behalf of the Council that we should be aware of, and any responses received?

3. Question from Councillor Matthew Barber to Councillor Emily Smith, Leader of the council

Given the recent press coverage of the proposed merger of the Vale of White Horse with South Oxfordshire district councils, can the Leader confirm whether she supports such a move and if so how she considers such a merger would improve the financial position of the councils in Southern Oxfordshire?"

4. Question from Councillor Andy Foulsham, to Councillor Helen Pighills, Cabinet member for Healthy Communities

Following the governments' mishandling of Free School Meals for children over Christmas, and then the national coverage of poor-quality Free Schools Meals being provided during lockdown, our communities, town and parish councils have responded generously. But what is being done by this council to ensure children and their families in the Vale of White Horse have enough food as the Covid pandemic continues?

5. Question from Councillor David Grant to Councillor Judy Roberts, Cabinet member for Development and Infrastructure

As a councillor in the Western Vale, I am aware of the consequences of the promises made by the previous administration to allocate S106 monies to the now defunct Wessex Leisure Centre Scheme. Funds that were generated from major developments in Faringdon, Great Coxwell, and other areas close by, were directed to help construct a facility in Grove that our residents would never realistically use.

Now we know there was never enough money to build the grandiose £18.8 million Wessex Leisure Centre at Grove proposed by the previous administration, what reassurance can the Cabinet member give to the town and parish councils in the Faringdon area that appropriate funds previously earmarked for the Wessex project will now be used for community infrastructure in the Faringdon area? And will ward members and key local stakeholders be consulted about what projects would benefit local communities best, giving them the facilities that they deserve?

6. Question from Councillor Bob Johnston to Councillor Catherine Webber, Cabinet Member for Climate Emergency and the Environment

The Climate and Ecological Emergency (CEE) Bill being proposed by cross Party Members of Parliament and supported by many Vale residents reminds us that as well as a climate crisis we also face an ecological crisis. Could the Cabinet member explain what action this council is taking to protect our local wildlife and increase biodiversity around the Vale? And how can we work with our neighbouring authorities and MPs to make sure that CEE Bill is supported and results in more urgent action at every level of government?

7. Question from Councillor Richard Webber to Councillor Andy Crawford, Cabinet Member for Finance and Corporate Assets

The budget before us tonight shows a further reduction in projected government financial support to this council accumulating to more than £14.5 million over the five years of our Medium Term Financial Plan, a fall of 62%. The Council is only allowed by Government to increase Council Tax by 2% per annum which if taken in full will see council tax revenue increase by only approximately £400,000 per annum over the five years.

Vale of White Horse District Council is clearly far from unique in finding itself in this financial quandary. What steps is this Council taking to explain to Government the consequences of their policy decisions and persuade them to both adequately and fairly fund local councils who not only deliver vital services all year round but which have played a major part in assisting the Government in dealing with the ongoing COVID 19 pandemic?

8. Question from Jenny Hannaby to Councillor Emily Smith, Leader of the council

In July 2020, after the first wave of the Covid-19 pandemic, this council resolved to “ask the Chair of the Joint Health and Overview Scrutiny Committee of Oxfordshire County Council to convene a meeting with the aim of setting up a rapid and transparent Task

Force to analyse and ascertain the reasons for the observed excess deaths and infection rates in Oxfordshire's care homes during the previous three months". What was the response to the Leader's letter on our behalf and what action has been taken in response to our request?

18. Motions on notice

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

A. Motion proposed by Councillor Nathan Boyd, seconded by Councillor Elaine Ware.

This Council notes:

1. The recent endorsement of the "Twenty is Plenty" campaign by Oxfordshire County Council in its role as Highways Authority which means all new residential roads will have a 20 mph speed limit.
2. The evidence that introduction of 20mph limits even without formal enforcement results in much safer speed profiles and this is particularly beneficial in the vicinity of schools, community hubs and care facilities.

This Council believes that as the Local Planning Authority we could look to facilitate the campaign by designing in a 20 Mph speed limit policy for new developments via the emerging local plan.

The Council further believes that there may be a role for a "best practice guide" and case studies for parish Councils to help them facilitate 20mph limits where there is local demand.

Council requests officers to prepare a report for the Scrutiny Committee on the practical implications.

B. Motion to be proposed by Councillor Paul Barrow, seconded by Councillor Richard Webber

The flooding in Oxfordshire over Christmas served as yet another reminder of the importance of flood defences and effective road-side drainage as climate change makes flood events more common and more extreme. As well as planning policy needed to take increasing flood risk seriously, it is vital that the Environment Agency are properly funded to help them protect communities and the local economy from the devastating impact of flooding.

Council notes:

- The excellent partnership work between this council, the Environment Agency and other partners on the Oxford Flood Alleviation Scheme which will protect South Hinksey, Kennington and North Hinksey as well as Oxford City once built.
- There is a Flood Alleviation Scheme designed to protect parts of Abingdon around the River Ock that the Environment Agency believe will protect the Town. This scheme is unfunded.
- That the likelihood and severity of flooding on the scale of what Abingdon experienced in

2007 and South Hinksey experienced in 2014 is increasingly likely.

- The impact of flooding on our communities can be devastating – for residents personally affected, financially in the damage caused to property, and the impact on our electricity and transport infrastructure which has a knock-on impact for businesses and the local economy.
- The financial constraints that limit infrastructure maintenance by Oxfordshire County Council, such as clearing gullies once every three years and adopting a reactive approach to flooding.

Council asks the Leader to:

- Write to the Secretary of State for DEFRA and the Chief Secretary to the Treasury asking for the Environment Agency funding for flood alleviation schemes to be increased significantly and for the Abingdon Flood Alleviation Scheme specifically to be funded as part of the government's next budget round.
- Continue to work through our partnerships, such as the Growth Board and OxLEP, to highlight the importance of flood alleviation in our district and action to protect residents and businesses.
- Write to Oxfordshire County Council to encourage the development of a rational, comprehensive and cost-effective management plan for maintenance of roadside gullies and drainage, liaising with landowners to clear important drainage ditches and involving increased funding.

C. Motion to be proposed by Councillor Jenny Hannaby, seconded by Councillor Ron Batstone

Council notes that the Wessex Leisure Centre project was put on hold in October 2018 at a point when it was clear that the total of Section 106 Developer contributions already collected and those to be received in the future fell very significantly short of the amount required to fund the project. Council is also aware that the current restrictions imposed by the COVID 19 pandemic and the unknown potential implications of the need to maintain social distancing and other measures may impact the nature of leisure facilities for the foreseeable future. However, recognising that earmarked funds are and will become available this Council:

1. Asks officers to initiate early engagement with residents and stakeholders in the Grove and Wantage area to inform the best use of the S106 leisure funds generated locally that were previously allocated to the ill-fated Wessex Leisure Centre.

2. As part of this work, asks officers in its infrastructure, policy and legal teams to disentangle these S106 agreements and in doing so acknowledge that it may then be necessary to consult further with other local communities about what recreation and leisure facilities are required in the areas that generated some of those S106 contributions.

3. Notes that the new and more flexible CIL Spending Strategy adopted by Cabinet reinforces this Council's intention to use CIL developer contributions to pay for community infrastructure, including for leisure provision, in a way that assists the delivery of larger projects to the benefit of the whole community.

4. Enthusiastically supports the recent changes to the Vale's CIL Charging Strategy which will see a near doubling of CIL infrastructure funding to this District over the life of

the Local Plan.

5. Supports the prioritisation work on the Vale's Active Communities Strategy to inform how best to use S106, CIL and other funding to provide recreation facilities and opportunities for communities across the district.

19. Exclusion of the public

To consider whether 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.

20. Revenue budget 2021/22 and capital programme to 2025/26

The confidential appendix A 6 to the revenue budget 2021/22 item (agenda item 9) will be circulated to all councillors.

Minutes of a meeting of the Council



held on Wednesday 9 December 2020 at 7.00 pm
as a virtual meeting

Open to the public, including the press

Present:

Members: Councillors Margaret Crick (Chair), Jerry Avery, Matthew Barber, Paul Barrow, Ron Batstone, Eric Batts, Samantha Bowring, 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, Patrick O'Leary, 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, Margaret Reed and Mark Stone

Co.123 Apologies for absence

None.

Co.124 Minutes

RESOLVED: to approve the minutes of the meetings of Council held on 7 and 22 October 2020 as correct records and agree that the chair sign these as such.

Co.125 Declarations of disclosable pecuniary interest

None.

Co.126 Urgent business and chair's announcements

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

Co.127 Public participation

No members of the public had registered to registered to ask a question or make a statement to Council.

Co.128 Petitions

None.

Co.129 Civil parking enforcement

Cabinet, at its meeting on 4 December 2020, considered the report of the head of housing and environment on the formal application to the Department for Transport to implement enforcement in the district. Cabinet resolved to support an application by Oxfordshire County Council for the introduction of a Special Enforcement Area and bus lane enforcement powers across the districts of Cherwell, South Oxfordshire and Vale of White Horse to provide civil parking enforcement and to support the proposal for Oxfordshire County Council to manage civil parking enforcement. Cabinet authorised the head of housing and environment, in consultation with the head of legal and democratic, to negotiate and enter into any formal legal agreements required between Vale of White Horse District Council and Oxfordshire County Council.

RESOLVED: to approve the addition of a new civil parking enforcement scheme in the approved capital programme of £60,000 as the council's contribution to Oxfordshire County Council's implementation costs, and to approve a revenue supplementary estimate of £30,000 in the 2020/21 budget for costs to be incurred by the council.

Co.130 Treasury management mid-year monitoring report 2020/21

Council considered Cabinet's recommendations, made at its meeting on 4 December 2020, on the treasury management mid-year monitoring report for the financial year 2020/21.

The Joint Audit and Governance Committee and Cabinet had considered the head of finance's report and were satisfied that the treasury activities had been carried out in accordance with the treasury management strategy and policy.

RESOLVED: to

1. note that the Joint Audit and Governance Committee is satisfied that the treasury activities have been carried out in accordance with the treasury management strategy and policy; and
2. approve the treasury management mid-year monitoring report 2020/21.

Co.131 Council Tax Base 2021/22

Council considered Cabinet's recommendations, made at its meeting on 4 December 2020, on the council tax base for 2021/22.

RESOLVED:

1. approve the interim head of finance's report to Cabinet on 4 December 2020 for the calculation of the council's tax base and the calculation of the tax base for each parish area for 2021/22;

2. agree that, in accordance with The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the amount calculated by Vale of White Horse District Council as its council tax base for the year 2021/22 is 53,919.1; and
3. agree that, in accordance with The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the amount calculated by Vale of White Horse District Council as the council tax base for the year 2021/22 for each parish be the amount shown against the name of that parish in Appendix A of interim head of finance's report to Cabinet on 4 December 2020.

Co.132 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](#).

Council noted the details of an urgent decision taken by Councillor Bethia Thomas, Cabinet member for Community Engagement, to approve the Vale of White Horse District Council's Additional Restrictions Grant Scheme.

Co.133 Questions on notice

Question from Councillor Paul Barrow to Councillor Catherine Webber, Cabinet Member for Climate Emergency and Environment

Given the aspirations outlined in the Government's 25 Year Environment Plan and Defra's Biodiversity 2020 Strategy, what is being done or is planned for the next five years in terms of increased biodiversity and nature recovery in the Vale?

Answer

1) What is being done?

- A draft Nature Recovery Network map has been produced for Oxfordshire by a partnership of organisations including Officers from all Oxfordshire Local Authorities, wildlife charities and statutory bodies.
- A feasibility study into the potential for the Vale to get involved in Habitat Banking is underway.
- The Vale is actively involved in ongoing work to re-establish a Local Nature Partnership for Oxfordshire.
- A Tree Opportunities Map is being prepared (joint funded by Vale and all Oxfordshire LPA's). This will be a resource available to all to help identify suitable tree planting opportunities. The project will develop maps showing not only where trees might be established but also where they would have the highest impact. They will cover the placement of trees in both rural and urban areas and in the widest variety of forms - as trees in or outside of woodlands; hedgerows; orchards; agroforestry; parks; and gardens.
- The Vale is delivering biodiversity net gain for all major developments. Each application is assessed for its impacts on biodiversity which are measured using a metric. All development proposals are then required to deliver more biodiversity than is lost when planning permission is granted.

- Work is underway to develop projects to be funded from s.106 money from the Grove Airfield development. This is being developed in partnership with the Freshwater Habitats Trust.
- *A Guide to Planting Trees for Community Groups* has been produced and is available on the Councils web site.
- The Council has a District Licence for Great Crested Newts which has delivered 14 new ponds and 74 Ha of high-quality terrestrial habitats in the last year.

2) What is planned for the next 5 years?

- The Strategic Property Review will consider all the Vale's landholdings and will link in with the production of an Open Spaces Strategy to determine where there are opportunities for biodiversity enhancements and tree planting.
- The Oxfordshire Local Nature Partnership will be formally established. The LNP will seek to:
 - Develop a Nature Recovery Strategy for Oxfordshire
 - Develop a biodiversity net gain targeting strategy.
- Develop and deliver a Tree Planting Programme on Council owned land to enhance biodiversity and sequester carbon
- The Council is working with the Letcombe Brook Project and the Environment Agency to deliver biodiversity enhancements at Willow Walk in Wantage.

3) What else Could the Council do to help meet the targets in the Corporate Plan, these projects would be subject to further agreement and appropriate resourcing?

- Develop a Biodiversity Steering Group involving both key officers and members to oversee and develop the Councils approach to nature's recovery.
- Develop a district wide tree planting programme to deliver projects such as 'Tiny Forests' in Market towns and to facilitate and support the set-up of community tree nurseries.
- Develop new planning policies setting targets for % of Biodiversity Net Gain from new Development
- Fund partner organisations to deliver nature recovery (funding could come from CIL or other sources).

Supplementary question

Councillor Barrow asked the following supplementary question:

As a result of the Covid crisis and given the limited resources that are currently and will be available in the next five years, what criteria will be used in deciding on an order of priorities and is there likely to be any reduction in activity as a result of this?

Answer

Councillor Catherine Webber undertook to provide a full written response. However, she highlighted that Covid had made a difference as government funds had not covered the cost of the council's response to Covid and officers had been diverted to

support the council's response to the pandemic. Whilst some projects had been progressed others had been delayed.

Co.134 Motions on notice

Councillor Bob Johnston moved, and Councillor David Grant seconded the motion as set out in the agenda at agenda item 12.

Those councillors who expressed a view spoke in support of the motion. The reduction in funding for the Environment Agency had reduced its capacity to enforce regulations resulting in an increase in pollution incidents and a reduction in the number of prosecutions. Bathing Quality Water status would improve the quality of the water and address concerns regarding the health of people who swim in the water contaminated with sewerage and improve the biodiversity of the river.

On being put the motion was declared carried.

RESOLVED:

That Council notes the growing popularity of wild swimming, paddling, kayaking and paddle boarding in the River Thames and its tributaries and, more importantly, the intrinsic value of clean water and healthy, biodiverse rivers.

The UK water companies are permitted to release raw sewage into waterways in specific circumstances, under licence from the Environment Agency. Regulators rely on self-reporting on the part of the water companies and there is no way for river users to know in real time when these Controlled Sewage Overflows (CSO's) happen.

In 2017 Thames Water received the largest fine ever handed to a water utility for an environmental disaster after it spilled raw sewage into the Thames, with the judge stating that the company had a history of non-compliance. However, the issue of water cleanliness persists. Data from the River Trust revealed that Thames Water's sewage treatment works spilled raw sewage into the upper Thames, between Lechlade and Reading, more than 1,300 times in 2019, for 17,000 hours in total.

Hundreds of beaches around the UK have Bathing Quality Water status, this ensures that the Environment Agency monitors and reports on water quality throughout the bathing season.

Only a handful of inland lakes, *and no rivers*, have Bathing Quality Water status.

Recognising the intrinsic importance of the river Thames as a natural asset of national significance and its value to our communities, this Council:-

1. Asks officers to work with appropriate partners such as the Environment Agency, the Rivers Trust and Surfers against Sewage to begin the process of applying for Bathing Quality Water status for the river Thames in the Vale of White Horse.
2. Commits to taking part in the meetings of councils from along the River that are being hosted by South Oxfordshire District Council's Thames Champion, Councillor Jo Robb, to discuss opportunities for our council to join others in promoting and working towards cleaner rivers.
3. Asks the Leader to write to Thames Water calling on them to (a) draft and implement an action plan for the elimination of CSO's across its sewage treatment network and (b) to provide accurate, real-time publicly available information about CSO's into the Thames and its tributaries.

4. Asks the Leader to write to the Vale's two MPs asking them to support Philip Dunne MP's Sewage (Inland Waters) Bill when it has its second reading in Parliament on 15 January 2021.
5. Aims to build on opportunities to influence Thames Water's practices – such as our successful application to become a strategic partner in Thames Water's Surface Water Management Programme for 2020-2025.

The meeting closed at 7:50pm

Report to:

Joint Audit and Governance Committee Cabinet Council

Report of Interim Head of Finance

Author: Emma Creed

Telephone: 01235 422498

E-mail: emma.creed@southandvale.gov.uk

VWHDC cabinet member responsible: Councillor Andrew Crawford

Telephone: 01235 772134

E-mail: andy.crawford@whitehorsedc.gov.uk

To:	JOINT AUDIT & GOVERNANCE COMMITTEE on	26 January 2021
	CABINET on	05 February 2021
	COUNCIL on	10 February 2021

Treasury Management and Investment Strategy 2021/22

Recommendations

That Joint Audit and Governance Committee approves each of the following key elements of this report, and recommends these to Cabinet:

1. To approve the treasury management strategy 2021/22 set out in appendix A to this report;
2. To approve the prudential indicators and limits for 2021/22 to 2023/24 as set out in, appendix A.
3. To approve the annual investment strategy 2021/22 set out in appendix A, and the lending criteria detailed in table 6.

That Cabinet considers any comments from committee and recommends Council to approve report.

Purpose of report

1. This report presents the council's Treasury Management Strategy (TMS) for 2021/22. This sets out how the council's treasury service will support financing of capital investment decisions, and how treasury management operates day to day. It sets out the limitations on treasury management activity informed by the prudential indicators, within which the council's treasury function must operate. The strategy is included as appendix A to the report. This report includes the three elements

required by legislation as follows:

- The **prudential and Treasury indicators** required by the CIPFA Prudential Code 2017 for Capital Finance in Local Authorities and CIPFA TM code of Practice 2017;
- The **annual investment strategy**. This sets out the council's criteria for selecting counterparties and limiting exposure to the risk of loss on its investments.
- A statutory duty to approve a **minimum revenue provision** policy statement, (appendix A, paragraphs 14-18).

It is a requirement of the CIPFA Code of Practice on Treasury Management 2017 that this report is approved by full Council on an annual basis.

Strategic objectives

2. Managing the finances of the authority in accordance with the treasury management strategy will help to ensure that resources are available to deliver its services and meet the council's strategic objectives.

Background

3. Treasury management is the planning of the council's cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.
4. The funding of the council's capital expenditure is also a function of treasury management. The capital programme provides a guide to the funding needs of the council and informs long-term cash flow plans to ensure that the council can meet its capital spending obligations.
5. Treasury investments are effectively what the council does with its cash resources before it is spent on the provision of services and the funding of the capital programme. All expenditure of a capital nature is managed through the council's capital programme and is not covered by this report.
6. The treasury management and annual investment strategy set out the council's policies for managing investments and confirms the council gives priority to the security and liquidity of those investments. It also includes the prudential indicators for the next three years; these demonstrate that the council's capital investment plans are affordable, prudent and sustainable.
7. The council's treasury management strategy 2021/22 is attached in appendix A. Whilst every attempt has been made to minimise the technical content of this report, it is, by its very nature and the need for compliance with associated guidance, technical in parts. A glossary of terms in appendix G should aid members understanding of some technical terms used in the report.

8. The last significant review by CIPFA of its 'Prudential code' and the 'Treasury Management Code of Practice' was in 2017.

Recommended changes to the treasury management strategy

9. Council approved the 2020/21 treasury management strategy on 12 February 2020. The proposed strategy for 2021/22 includes the changes detailed below, which cabinet is asked to recommend to council.

Counterparty limits

10. On 31 March 2020 the Interim Head of Finance waived financial procedure rule 53 and allowed the councils to over-ride their counter party limits for money market funds. This was to allow the councils to deal with the receipt of unprecedented levels of government grant funding to fund the business grant schemes administered by the councils on behalf of the government.
11. Delegation 2.7 of the council constitutions allows the Interim Head of Finance, in consultation with the cabinet member for finance, to raise counterparty limits by £3,000,000 within a financial year.
12. Officers believe the same temporary increase will be required for the first half of 2021/22. The increased limits on specific counterparties are set out in the table below.

Counterparty	Amount required £mil
Skipton Building Society	3
West Bromwich Building Society	3
Newcastle Building Society	3
Nottingham Building Society	3
National Counties Building Society	3
Progressive Building Society	3
Monmouthshire Building Society	3
Furness Building Society	3
Money Market Fund	10

Financial implications and risk assessment

13. This report and all associated policies and strategies set out clearly the parameters the council must work within. It is important that the council follows the approved treasury management strategy which is designed to help protect the council's finances by managing its risk exposure.
14. Link Treasury Services has provided a counterparty methodology, but given the council's balances, we have expanded on this methodology to include building societies to ensure a diversified portfolio.
15. Base rate is currently 0.10 per cent. It dropped from 0.25 per cent to 0.10 per cent on 19 March 2020 to help control the economic shock of coronavirus. The Bank of

England had dropped base rate from 0.75 per cent to 0.25 per cent one week earlier on 11 March 2020.

16. Link Asset Services forecast that the bank base rate will not increase before March 2024.

17. The table below gives an estimate of the investment income achievable for the next five years;

Table 1: Medium term investment income forecast					
	2021/22	2022/23	2023/24	2024/25	2025/26
	£000's	£000's	£000's	£000's	£000's
Forecast as at December 2020	558	138	131	181	181

The 2021/22 budget setting report and medium term financial plan will take into account the latest projections of anticipated investment income.

Legal implications

18. There are no significant legal implications as a result of the recommendations in this report. Compliance with the CIPFA Code of Practice for Treasury Management in the Public Services, the CLG Local Government Investment Guidance provides assurance that the council's investments are, and will continue to be, within its legal powers.

19. The council must approve any amendment to the treasury management strategy and annual investment strategy in accordance with the Local Government Act 2003 (the Act), the CIPFA Code of Practice for Treasury Management in the Public Services and the CLG Local Government Investment Guidance under Section 15(1) (a) Local Government Act 2003 and CIPFA Prudential Code for Capital Finance.

Conclusion

20. This report introduces the treasury management strategy and the annual investment strategy for 2021/22 which are appended to this report, together with the prudential indicators for approval to council. These documents provide the parameters within which the council's treasury management function will operate.

Background papers

- CIPFA Code of Practice on Treasury Management 2017
- CIPFA Prudential Code 2017
- CIPFA Treasury Management in the Public Services Guidance Notes 2018
- CIPFA statement 17.10.18 on borrowing in advance of need and investments in commercial properties
- CIPFA Bulletin 02 Treasury and Capital Management Update October 2018
- Statutory Guidance on Local Government Investments (3rd Edition)
- Statutory Guidance on Minimum Revenue Provision

Appendices

Appendix A Treasury Management Strategy 2021/22

Appendix B Economic Background

Appendix C Risk and performance benchmarking

Appendix D Explanation of Prudential and Treasury Indicators

Appendix E TMP1 extract

Appendix F Extension to the responsibilities of the S151 officer

Appendix G Glossary of terms

Appendix A

Treasury Management Strategy 2021/22

Introduction

1. The first main function of the treasury management services is to ensure the council's cash flow is adequately planned, with cash being available when it is needed. Surplus monies are invested in low risk counterparties or instruments commensurate with the council's low risk appetite, providing adequate liquidity initially before considering investment return. The second main function of the treasury management service is the funding of the council's capital plans.
2. Whilst any commercial initiatives or loans to third parties will impact on the treasury function, these activities are generally classed as non-treasury activities, (arising usually from capital expenditure), and are separate from the day to day treasury management activities.
3. CIPFA defines treasury management as:

“The management of the local authority’s borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”
4. Revised reporting was required for the 2019/20 reporting cycle due to revisions of the Ministry of Housing, Communities & Local Government (MHCLG) Investment Guidance, the MHCLG Minimum Revenue Provision (MRP) Guidance, the Chartered Institute of Public Finance & Accountancy (CIPFA) Prudential Code and the CIPFA Treasury Management Code. The primary reporting changes included the introduction of a capital strategy, to provide a longer-term focus to the capital plans, and greater reporting requirements surrounding any commercial activity undertaken under the Localism Act 2011. The capital strategy is reported separately.

Treasury Management reporting

5. The Council is currently required to receive and approve, as a minimum, three main treasury reports each year, which incorporate a variety of policies, estimates and actuals.
 - a) Prudential and treasury indicators and treasury strategy (this report) - The first, and most important report is forward looking and covers:
 - the capital plans, (including prudential indicators);
 - a minimum revenue provision (MRP) policy, (how residual capital expenditure is charged to revenue over time);
 - the treasury management strategy, (how the investments and borrowings are managed), including treasury indicators; and
 - an investment strategy, (the parameters on how investments are to be managed).

- b) A mid-year treasury management report – This is primarily a progress report and will update members on the mid-year treasury performance, amending prudential indicators as necessary, and whether any policies require revision.
- c) An annual treasury report – This report reviews performance for the previous financial year and provides details of a selection of actual prudential and treasury indicators and actual treasury operations compared to the estimates within the strategy.

Scrutiny

6. The above reports are required to be adequately scrutinised before being recommended to the Council. This role is undertaken by the Joint Audit and Governance Committee.

Treasury Management Strategy for 2021/22

7. The strategy for 2021/22 covers the areas below:
 - the capital expenditure plans and the associated prudential indicators;
 - the minimum revenue provision (MRP) policy.
 - the current treasury position;
 - treasury indicators which limit the treasury risk and activities of the Council;
 - prospects for interest rates;
 - the borrowing strategy;
 - policy on borrowing in advance of need;
 - debt rescheduling;
 - the investment strategy;
 - creditworthiness policy; and
 - the policy on use of external service providers.
8. These elements cover the requirements of the Local Government Act 2003, (the Act) the CIPFA Prudential Code, MHCLG MRP Guidance, the CIPFA Treasury Management Code and MHCLG Investment Guidance.

Councillor and officer training

9. The CIPFA Code requires the Interim Head of Finance to ensure that members with responsibility for treasury management receive adequate training in treasury management. This especially applies to members responsible for scrutiny. The training needs of treasury management officers are periodically reviewed.

Capital Prudential Indicators

10. The Council's capital expenditure plans (as detailed in the council's capital programme) are a key driver of treasury management activity. The output of the capital expenditure plans is reflected in the prudential indicators, which are designed to assist members' overview and confirm capital expenditure plans.

Treasury management consultants

11. The Council uses Link Asset Services, Treasury solutions as its external treasury management advisors.
12. The Council recognises that responsibility for treasury management decisions always remains with the organisation and will ensure that undue reliance is not placed upon the services of our external service providers. All decisions will be undertaken with regards to all available information, including, but not solely, our treasury advisors.
13. It also recognises that there is value in employing external providers of treasury management services in order to acquire access to specialist skills, knowledge and resources. The Council will ensure that the terms of their appointment and the methods by which their value will be assessed are properly agreed and documented and subjected to regular review.

Minimum Revenue Provision (MRP) policy statement 2021/22

14. The council's current capital programme will primarily be financed from internal resources. If borrowing is undertaken, then the council will be required by statute to set aside funds in the annual revenue budget to amortise the principal element of any borrowing – this is the MRP. There will also be a requirement to set aside revenue budget for the interest payments on any borrowing raised. Loans will generally be taken over the life of the assets being financed and amortised accordingly.
15. The council is required by regulation to approve an annual MRP policy before the start of the year to which it relates. Any in-year changes must also be submitted to the council for approval.
16. A variety of options are provided to councils for the calculation of MRP. The council has chosen the "asset life method" as being most appropriate. Using this method MRP will be based on the estimated life of the asset, in accordance with the regulations (this option must be applied for any expenditure capitalised under a Capitalisation Direction). Repayments included in annual PFI or finance leases are applied as MRP.
17. Currently, the council's MRP liability is nil. This will remain the case unless capital expenditure is financed by external or internal borrowing.
18. The Interim Head of Finance will determine the most appropriate repayment method, term of borrowing and duration of borrowing. As a general illustration, Table 1 below gives an example of the annual revenue costs associated with borrowing an amount of £2.5 million over a 50 year period, based on the current district tax base of 53,919 Band D equivalents.

Table 1: Example MRP and interest calculation		
Loan Amount	£2,500,000	
Loan Duration	50 Years	
PWLB Interest	1.38%	
2021/22 Tax Base	53,919	
	£	£ per Band D
MRP Element	£50,000	0.93
Annual Interest Cost	£34,500	0.64
Total	£84,500	1.57

Prospects for interest rate forecast and economic rate forecasts

19. The following table gives Link Asset Services central view on expected interest rate movements out to March 2024. It should be read alongside the commentary provided below.

Table 2: interest rate forecasts - Quoted by link Asset Services December 2020

Bank Rate															
	NOW	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24
Link Group	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%
Capital Economics	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	-	-	-	-	-
5yr PWLB Rate															
	NOW	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24
Link Group	0.84%	0.80%	0.80%	0.80%	0.80%	0.80%	0.90%	0.90%	0.90%	0.90%	0.90%	1.00%	1.00%	1.00%	1.00%
Capital Economics	0.84%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	-	-	-	-	-
10yr PWLB Rate															
	NOW	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24
Link Group	1.15%	1.10%	1.10%	1.10%	1.10%	1.20%	1.20%	1.20%	1.30%	1.30%	1.30%	1.20%	1.30%	1.30%	1.30%
Capital Economics	1.15%	1.30%	1.30%	1.30%	1.30%	1.30%	1.30%	1.30%	1.30%	1.30%	-	-	-	-	-
25yr PWLB Rate															
	NOW	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24
Link Group	1.70%	1.50%	1.50%	1.60%	1.60%	1.60%	1.60%	1.70%	1.70%	1.70%	1.70%	1.80%	1.80%	1.80%	1.80%
Capital Economics	1.70%	1.80%	1.80%	1.80%	1.80%	1.80%	1.80%	1.80%	1.80%	1.80%	-	-	-	-	-
50yr PWLB Rate															
	NOW	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24
Link Group	1.54%	1.30%	1.30%	1.40%	1.40%	1.40%	1.40%	1.50%	1.50%	1.50%	1.50%	1.60%	1.60%	1.60%	1.60%
Capital Economics	1.54%	1.70%	1.70%	1.70%	1.70%	1.70%	1.70%	1.70%	1.70%	1.70%	-	-	-	-	-

20. The fall in GDP in the first half of 2020, as a result of the COVID-19 pandemic, of 28 per cent was revised upwards to 23 percent. This is still one of the largest falls in output of any developed nation but is only to be expected as the UK economy is heavily skewed towards consumer facing services, which were particularly vulnerable to being damaged by lockdown.

21. The Monetary Policy Committee (MPC) still expects the £300 billion of QE purchases announced between the March and June meetings to continue until the “turn of the

year”. This implies that the pace of purchases will slow further to about £4 billion a week, down from £14 billion a week at the height of the crisis and £7 billion more recently.

22. The pace of recovery is not expected to be in the form of a rapid V shape, but a more elongated and prolonged one. There will also be some painful longer-term adjustments as office space and travel by planes, trains and buses may not recover their previous level of use for several years or possibly ever. There is also likely to be a reversal of globalisation as this crisis has shown how vulnerable long-distance supply chains are. On the other hand, digital services is one area that has already seen huge growth.

Negative interest rates

23. While the Bank of England has said that it is unlikely to introduce a negative Bank Rate, at least in the next 6 -12 months, some deposit accounts are already offering negative rates for shorter periods. As part of the response to the pandemic and lockdown, the Bank and the Government have provided financial markets and businesses with plentiful access to credit, either directly or through commercial banks. In addition, as with our councils, the Government has provided large sums of grants to local authorities to help deal with the COVID crisis, causing sudden large increases in investment balances searching for an investment home, some of which was only very short term until those sums were able to be passed on.
24. As for money market funds (MMFs), yields have continued to drift lower. Some managers have suggested that they might resort to trimming fee levels to ensure that net yields for investors remain in positive territory where possible and practical. Investor cash flow uncertainty, and the need to maintain liquidity in these unprecedented times, has meant there is a glut of money swilling around at the very short end of the market. This has seen a number of market operators, now including the DMADF, offer nil or negative rates for very short term maturities. This is not universal, and MMFs are still offering a marginally positive return, as are a number of financial institutions.
25. Inter-local authority lending and borrowing rates have also declined due to the surge in the levels of cash seeking a short-term home at a time when many local authorities are probably having difficulties over accurately forecasting when disbursements of funds received will occur or when further large receipts will be received from the Government.
26. Although the Bank of England has seemingly ruled out using negative interest rates for now, it has recently written to all UK banks and building societies, as well as large international banks and insurers, asking them to identify any operational challenges associated with implementation of zero or negative bank rate. It suggested that while negative rates can work in some circumstances, it would be “less effective as a tool to stimulate the economy” at this time when banks are worried about future loan losses. It also has “other instruments available”, including quantitative easing (QE) and forward guidance.
27. A move to negative interest rates will see treasury investment income fall. We are predicting that South will not reach their budgeted income levels for this year due to the drop in interest rates already experienced, and both councils will see a reduction

in investment income in future years that will need to be built into future years budgets.

28. There is a risk that the cash the councils hold short term for working capital will attract nominal interest charges. However, we will mitigate this risk by investing the remaining balances longer term where possible, and also potentially making more use of notice accounts.
29. We will continue to maintain a close dialogue with our treasury advisors (Link Asset Services) and we will continue to work pro-actively in accordance with our treasury strategy to minimise any adverse impact on investment returns that may result in the event of bank rate becoming negative.

Treasury Limits for 2021/22 to 2023/24

30. It is a statutory duty, under Section 3 of the Act and supporting regulations for the council to determine and keep under review how much it can afford to borrow. The amount so determined is called the “Affordable Borrowing Limit”. The Authorised Limit is the legislative limit specified in the Act.
31. The council must have regard to the Prudential Code when setting the Authorised Limit, which essentially requires it to ensure that total capital expenditure remains within sustainable limits and that the impact upon its future council tax is ‘acceptable’.
32. The Authorised Limit is set on a rolling basis, for the forthcoming financial year and two successive financial years.
33. The following indicators set the parameters within which we manage the overall capital investment and treasury management functions. There are specific treasury activity limits, which aim to contain the activity of the treasury function in order to manage risk and reduce the impact of an adverse movement in interest rates. However, if these are set to be too restrictive they will impair the opportunities to reduce costs/improve performance. The limits are set out in table 2 below.

Cabinet is asked to recommend council to approve the limits:

Table 3: Prudential indicators				
	2020/21	2021/22	2022/23	2023/24
	Approved	Estimate	Estimate	Estimate
	£m	£m	£m	£m
Debt				
Authorised limit for external debt				
Borrowing	30	30	30	30
Other long term liabilities	0	0	0	0
	35	35	35	35
Operational boundary for external debt				
Borrowing	25	25	25	25
Other long term liabilities	0	0	0	0
	30	30	30	30

Interest rate exposures				
Maximum fixed rate borrowing	100%	100%	100%	100%
Maximum variable rate borrowing	100%	100%	100%	100%
Investments				
Interest rate exposures				
Limits on fixed interest rates	100%	100%	100%	100%
Limits on variable interest rates	50	50	50	50
Principal sums invested > 364 days				
Upper limit for principal sums invested >364 days	40	40	40	40

Current position

34. The maturity structure of the council's investments at 30 November 2020 was as follows:

Table 4: maturity structure of investments:		
	Total £000's	% Holding
Call	-	0%
Money market fund	13,920	11%
Less than 6 months	50,000	41%
6 months to 1 year	45,000	37%
1 year +	11,000	9%
CCLA - Property Fund	2,000	2%
Total Investments	121,920	100%

Note: £122 million does not represent uncommitted resource the council has at its disposal. This amount includes council tax receipts held prior to forwarding to Oxfordshire County Council and the Police and Crime Commissioner for the Thames Valley, business rate receipts prior to payment to the government and committed capital and revenue balances. Details of the council's uncommitted balances are provided in the annual budget and council tax setting report.

35. The council currently holds all of its investments in the form of either cash deposits or a managed property fund (£2 million with CCLA), the majority of which have been placed for fixed terms with a fixed investment return.

36. The council's considerations for investment will remain security, liquidity and yield – in that order. Officers undertaking Treasury Management will work towards the optimum profile distribution.

Investment performance for the year to 30 November 2020.

37. The council's budgeted investment return for 2020/21 is £0.8 million, and the actual interest received to date is shown as follows:

Table 5: Investment interest earned by investment type				
Investment type	Annual Budget £000's	Interest Earned		
		Actual to date £000's	Annual Forecast £000's	Forecast Variation £000's
Fixed term and call cash	746	170	933	187
CCLA	87	54	87	0
Total interest	833	224	1,020	187

Borrowing Strategy 2021/22

38. The annual treasury management strategy has to set out details of the council's borrowing requirement, any maturing debt which will need to be re-financed, and the effect this will have on the treasury position over the next three years. This council currently has no external debt and in general, the council will borrow for one of two purposes;

- to support cash flow in the short-term;
- To fund capital investment over the medium to long term.

39. Any borrowing undertaken will be within the scope of the boundaries given in the prudential indicators shown in Table 2, which allow for the council to borrow up to a maximum of £30 million, if such a need arose. This also allows short-term borrowing for the cash flow management activities of the authority.

40. The existing capital programme can be financed from internal resources. Additional expenditure committed in the future can be financed either by use of reserves or internal borrowing or externally (through prudential borrowing). Any decision on borrowing will be taken by the Interim Head of Finance based on the optimum cost to the council.

41. Any borrowing for capital financing purposes will be assessed by the Interim Head of Finance to be prudent, sustainable and affordable

42. This strategy allows the Interim Head of Finance to determine the most suitable repayment terms of any borrowing to demonstrate affordability and sustainability in the medium term financial plan if required. As a general rule, the term of any borrowing will not be longer than the expected life of the capital asset being created.

Policy on borrowing in advance of need

43. The Council will not borrow more than or in advance of its needs purely in order to profit from the investment of the extra sums borrowed. Any decision to borrow in advance will be within forward approved Capital Financing Requirement estimates and will be considered carefully to ensure that value for money can be demonstrated and that the Council can ensure the security of such funds.

44. Risks associated with any borrowing in advance activity will be subject to prior appraisal and subsequent reporting through the mid-year or annual reporting mechanism.

Annual investment strategy 2021/22

45. The MHCLG and CIPFA have extended their definition of ‘investments’ to include both financial and non-financial investments. This report deals solely with financial investments, (as managed by the treasury management team). Non-financial investments, essentially the purchase of income yielding assets, are covered in the Capital Strategy, (a separate report).
46. The Council’s investment policy has regard to the following: -
- MHCLG’s Guidance on Local Government Investments (“the Guidance”)
 - CIPFA Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes 2017 (“the Code”)
 - CIPFA Treasury Management Guidance Notes 2018
47. The Council’s investment priorities will be security first, portfolio liquidity second and then yield, (return).
48. The primary aim of the council’s investment strategy is to maintain the security and liquidity of its investments; yield or return on the investment will be a secondary consideration, subject to prudent security and liquidity. The council will ensure:
- It has sufficient liquidity in its investments to cover cash flow. For this purpose, it has set out parameters for determining the maximum periods for which funds may prudently be committed.
 - It maintains a policy covering the categories of investment types it will invest in, criteria for choosing investment counterparties with adequate security, and monitoring their security.
49. The strategy aims to provide a high degree of flexibility to take appropriate lending decisions, with a view to producing a portfolio with an even spread of maturity periods. This aim is to provide a more even and predictable investment return in the medium term.
50. The council’s Interim Head of Finance will ensure a counterparty list (a list of named institutions) is maintained in compliance with the recommended credit rating criteria (table 6) and will revise the criteria and submit any changes to the credit rating criteria to council for approval as necessary.

Investment types

51. The types of investment that the council can use are summarised below. These are split under the headings of ‘specified’ and ‘non-specified’ in accordance with the statutory guidance.

Specified investment instruments

52. These are sterling investments of not more than one-year maturity, or those where the council has the right to be repaid within 12 months if it wishes. These would include sterling investments with:

- UK government Debt Management Agency Deposit Facility (DMADF)
- UK government – treasury stock (Gilts) with less than one year to maturity
- Supranational bonds of less than one year's duration
- Deposits with UK local authorities
- Pooled investment vehicles such as Money Market Funds (MMF) (AAA rated)
- Deposits with banks and building societies (minimum F1/A- rated)
- Certificates of deposits issued by banks and building societies (minimum rating as above)

Non-specified investment instruments

53. These are any other type of investment (i.e. investments not defined as specified, above). Examples of non-specified investments include any sterling investments with:

- Supranational bonds of 1 to 10 years to maturity
- UK treasury stock (Gilts) with a maturity of 1 to 10 years
- Unrated building societies (minimum asset value £1 billion)
- Bank and building society cash deposits up to 5 years (minimum F1/A- rated)
- Deposits with UK local authorities up to 25 years to maturity
- Corporate bonds
- Pooled property, pooled bond funds and UK pooled equity funds
- Diversified Income Fund
- Multi-Asset Fund
- Ultra-Dated/Short dated bond
- Non-UCITS Retail Schemes (NURS)

Other Non-specified investment instruments.

54. Other non-specified investment instruments include:

- Fixed term deposits with variable rate and variable maturities

Approach to investing

55. The council holds approximately £40 million core cash balances which are available to invest for more than one year. This is expected to reduce over the medium term as the approved capital expenditure is incurred and to fund the revenue budget shortfall. In addition, the council has funds that are available on a temporary basis to invest. These are held pending payment over to another body such as precept payments and council tax. The amount can vary between £5 million and £15 million throughout the year and should only be invested short term (under one year). Investments will be made with reference to known cash flow requirements (liquidity).

56. While rates remain historically low the council will aim to keep investments relatively short term but will continue to look for opportunities to fix lending in the medium term with highly rated institutions when possible for core cash balances. The aim is to increase the weighted average maturity of the portfolio in order to reduce maturity risk.

57. Officers will continue to provide tight controls on the investments placed. Where possible, opportunities to spread the investment risk over different types of instruments will be considered.
58. Should market conditions deteriorate suddenly to the extent that the council is unable to place money with institutions with the necessary credit rating, it will make use of the UK Government deposit account (DMADF).
59. The council has the authority to lend to other local authorities at market rates. Whilst investments with other local authorities are considered to be supported by central government, officers will consider the financial viability and sustainability of the individual local authority before any funds are advanced.
60. Further investment in property funds will be looked at in more detail for consideration. In 2013/14 the council invested £2 million in the Churches Charities and Local Authorities pooled property investment fund (CCLA).
61. Money market funds are mainly used for liquidity; they also provide security and spread portfolio risk. Officers will always monitor the council's exposure to these funds in order to manage our security risk.
62. Currently the council does not make use of an external fund manager. Whilst there are presently no plans for this situation to change, this will continue to be kept under review.
63. Bond funds can be used to diversify the portfolio, whilst maintaining an element of liquidity and security. These will be considered and reviewed as an investment possibility to spread portfolio risk.
64. One option to offer diversification in the council's investment portfolio would be to make use of Ultra Short Dated / Short Dated Bond Funds (USDBF / SDBFs).. Possible use of such funds would be intended for longer term investments than with traditional money market funds (i.e. for possible investment durations of three – six months).
65. USDBF/SDBF have a variable net asset value (VNAV). This means the assets are 'marked to market' (re-valued to current market value) on a daily basis and the fund unit price adjusted accordingly. Under this calculation basis the unit price fluctuates and could, therefore, be higher or lower than the original investment when it is redeemed. Any use of the above funds would be restricted to the high-quality counterparty credit criteria as set out in Table 6 below.
66. The council does not currently make use of certificates of deposit. Consideration will be given to their use to assist diversification of the investment portfolio. Certificates of deposit have the same level of ranking and security as ordinary fixed term deposits but have the option of being traded before maturity. Certificates of deposit are bought and sold on the stock market and their price can go up or down prior to their redemption date. If held to maturity the investment will return their issue value. The council would only normally look to enter into such investments on a held to maturity basis.

Counterparty selection

67. Treasury management risk is the risk of loss of capital to the council. To minimise this risk, the council uses credit rating information when considering who to lend to. Link Asset Services provide the council with credit rating updates from all three ratings agencies – Standard & Poors, Fitch and Moodys.
68. The council will not use the approach suggested by CIPFA of using the lowest rating from all three rating agencies in evaluating investment opportunity. This is because adopting this approach could leave the council with too few counterparties for the strategy to be workable. Instead, counterparty investment limits will be set by reference to all of the assigned ratings.
69. Where counterparties fail to meet the minimum required criteria (Table 6 below) they will be omitted from the counterparty list. Any rating changes and rating watches (notification of a rating change under consideration) are provided to officers almost immediately after they occur, and this information is considered before any deal is entered into. Extreme market movements may result in a downgrade of an institution or removal from the council's lending list.
70. Additional requirements under the CIPFA Treasury Management Code require the council to supplement the credit rating data with operational market information such as credit default swaps (CDS), negative watches and outlooks, which are considered when assessing the security of counterparties. This additional information is used so that the council does not rely solely on the current credit ratings of counterparties.
71. Where it is felt the council would benefit from utilising government guarantees provided by countries with an AAA rating, the council may lend to institutions covered by such guarantees. Any decision to lend in this way will be subject to consultation with the agreement of the cabinet member responsible for finance.

Country and sector considerations

72. The council has determined that it will only use approved counterparties outside the UK from countries with a minimum sovereign credit rating of AAA from Fitch Ratings.

Counterparty limits

73. In the normal course of the council's cash flow operations it is expected that both specified and non-specified investments will be used for the control of liquidity as both categories allow for short term investments. The use of longer term instruments (greater than one year from inception to repayment) will fall in the non-specified investment category. These instruments will be used where the council's liquidity requirements are safeguarded. The council will lend to institutions that meet the following criteria:

Table 6: Counterparty Limits				
Counterparty	Minimum Fitch Long term Rating (or equivalent)	Counterparty Limit £m	Max. maturity period	Maximum % of total
Institutions with a minimum rating:	F1+ / AA-	£10m	5 years	100%
Institutions with a minimum rating:	F1 / A-	£10m	2 year	80%
Institutions with a minimum rating:	F2/BBB	£5m	1 year	70%
Banks - part nationalised UK	UK sovereign	£15m	3 years	100%
Banks - house bank	n/a	£5m	3 months	20%
Building societies >£1m	n/a	£3m	12 months	50%
Building Societies	BBB+	£7m	12 Months	70%
Local authorities , parish councils	n/a	£20m	25 years	50%
Money Market funds (CNAV)	AAA	£20m	liquid	100%
Pooled property funds - CCLA	n/a	£7m	Variable	15%
Corporate Bonds	AA-	£5m	Variable	40%
CCLA Diversified Income Fund	n/a	£3m	Variable	10%
Multi - Asset Funds	n/a	£3m	Variable	10%
Ultra Dated/Short dated bonds	n/a	£3m	Variable	10%
Non-UCITS Retail Scheme (NURS)	n/a	£3m	Variable	50%
Managed Bond Funds	n/a	£15m	Variable	70%
Share capital / Equities	n/a	£3m	Variable	20%
Supranationals	AAA	£10m	10 years	50%
UK Government - gilts	UK sovereign	No limit	25 years	20%
UK Government - DMADF	UK sovereign	No limit	12 Months	100%
UK Government - Treasury Bills	UK sovereign	No limit	6 Months	100%

74. The criteria for choosing counterparties provides a sound approach to investment. Whilst councillors are asked to approve the criteria in table 6, under exceptional market conditions the Interim Head of Finance may temporarily restrict further investment activity to those counterparties considered of higher credit quality than the minimum criteria set out for approval.

75. On 31 March the Interim Head of Finance waived financial procedure rule 53 and allowed the councils to over-ride their counter party limits for money market funds. This was to allow the councils to deal with the receipt of unprecedented levels of government grant funding to fund the business grant schemes administered by the councils on behalf of the government.

76. Delegation 2.7 of the council constitutions allows the Interim Head of Finance, in consultation with the cabinet member for finance, to raise counterparty limits by £3,000,000 within a financial year.

77. Officers believe the same temporary increases will be required for the first half of 2021/22. The increased limits on specific counterparties are set out in the table below.

Counterparty	Amount required £mil
Skipton Building Society	3
West Bromwich Building Society	3
Newcastle Building Society	3
Nottingham Building Society	3
National Counties Building Society	3
Progressive Building Society	3
Monmouthshire Building Society	3
Furness Building Society	3
Money Market Fund	10

Fund managers

78. The council does not currently employ any external fund managers. However, in the event of such an appointment, appointees will comply with this and subsequent treasury strategies. This strategy empowers the Section 151 officer to appoint such an external manager to manage a proportion of the council's investment portfolio if this is advantageous. Situations in which this might be advantageous include benchmarking the performance of the treasury team; benefiting from the often-extensive credit risk and economic modelling resources of external fund managers and resources necessary to hold liquid instruments for trading.

Risk and performance benchmarks

79. A requirement of the Code is that security and liquidity benchmarks are considered and approved. This is in addition to yield benchmarks which are used to assess performance. The benchmarks are guidelines (not limits) so may be breached depending on the movement in interest rates and counterparty criteria. Their purpose is to allow officers to monitor the current trend position and amend the operational strategy depending on any changes. Any breach of the benchmarks will be reported, with an explanation in the mid-year or annual report to audit and corporate governance committee. Detailed information for the assessment of risk is shown in appendix C.

80. Performance indicators are set to assess the adequacy of the treasury function over the year. These are distinct historic performance indicators, as opposed to the predominantly forward looking prudential indicators. The indicators used to assess the performance of the treasury function are:

- Cash investments - 3-month LIBID rate.
- Property related investments – IPD Balance Property Unit Trust Index.

81. The results of these indicators will be reported in both the annual mid-year and yearend treasury reports.

Policy on the use of treasury management advisors

82. The council has a joint contract for treasury management advisors with South Oxfordshire District Council. Link Asset Services provides a range of services which include:

- technical support on treasury matters, capital finance issues, statutory reports;
- economic forecasts and interest rate analysis;
- credit ratings / market information service involving the three-main credit rating agencies;
- strategic advice including a review of the investment and borrowing strategies and policy documents.

83. The council recognises that responsibility for treasury management decisions always remains with the organisation and will ensure that undue reliance is not placed upon our external service providers. It also recognises that there is value in employing external providers of treasury management services in order to acquire access to specialist skills, resources and up to date market information.

Treasury management scheme of delegation and the role of the Section 151 officer

84. Council

- receiving and reviewing reports on treasury management policies, practices and activities;
- approval of annual strategy.

85. Joint Audit and Governance Committee/ Cabinet

- approval of/amendments to the organisation's adopted clauses, treasury management policy statement and treasury management practices;
- receiving and reviewing regular monitoring reports and acting on recommendations;
- Ensuring effective scrutiny of the treasury management function

86. Section 151 Officer/Interim Head of Finance

- recommending clauses, treasury management policy/practices for approval, reviewing the same regularly, and monitoring compliance;
- submitting regular treasury management policy reports;
- submitting budgets and budget variations;
- reviewing the performance of the treasury management function;
- ensuring the adequacy of treasury management resources and skills, and the effective division of responsibilities within the treasury management function;
- ensuring the adequacy of internal audit, and liaising with external audit;
- Approving the selection of external service providers and agreeing terms of appointment.

87. The above list of specific responsibilities of the S151 officer in the 2017 Treasury Management Code has not changed. However, implicit in the changes in both codes, is a major extension of the functions of this role, especially in respect of non-

financial investments, (which CIPFA has defined as being part of treasury management), (See Appendix G).

Summary

88. Prior to the beginning of each financial year the council must approve the treasury management strategy. The strategy sets the parameters within which officers can manage the council's cash flows and invest any surplus funds.
89. This strategy provides a commentary on the current financial climate and sets out the council's lending strategy in response to this.

Appendix B

ECONOMIC BACKGROUND

- **UK.** The Bank of England's Monetary Policy Committee kept **Bank Rate** unchanged on 5th November. However, it revised its economic forecasts to take account of a second national lockdown from 5th November to 2nd December which is obviously going to put back economic recovery and do further damage to the economy. It therefore decided to do a further tranche of **quantitative easing (QE) of £150bn**, to start in January when the current programme of £300bn of QE announced in March to June, runs out. It did this so that "announcing further asset purchases now should support the economy and help to ensure the unavoidable near-term slowdown in activity was not amplified by a tightening in monetary conditions that could slow the return of inflation to the target".
- Its forecasts appeared, at the time, to be rather optimistic in terms of three areas:
 - The economy would recover to reach its pre-pandemic level in Q1 2022
 - The Bank also expects there to be excess demand in the economy by Q4 2022.
 - CPI inflation is therefore projected to be a bit above its 2 per cent target by the start of 2023 and the "inflation risks were judged to be balanced".
- Significantly, there was no mention of **negative interest rates** in the minutes or Monetary Policy Report, suggesting that the MPC remains some way from being persuaded of the case for such a policy, at least for the next 6 -12 months. However, rather than saying that it "stands ready to adjust monetary policy", the MPC this time said that it will take "whatever additional action was necessary to achieve its remit". The latter seems stronger and wider and may indicate the Bank's willingness to embrace new tools.
- One key addition to **the Bank's forward guidance** in August was a new phrase in the policy statement, namely that "it does not intend to tighten monetary policy until there is clear evidence that significant progress is being made in eliminating spare capacity and achieving the 2 per cent target sustainably". That seems designed to say, in effect, that even if inflation rises to 2 per cent in a couple of years' time, do not expect any action from the MPC to raise Bank Rate – until they can clearly see that level of inflation is going to be persistently above target if it takes no action to raise Bank Rate. Our Bank Rate forecast currently shows no increase through to quarter 1 2024 but there could well be no increase during the next five years due to the slow rate of recovery of the economy and the need for the Government to see the burden of the elevated debt to GDP ratio falling significantly. **Inflation** is unlikely to pose a threat requiring increases in Bank Rate during this period as there is likely to be spare capacity in the economy for a considerable time. It is expected to briefly peak at around 2 per cent towards the end of 2021, but this is a temporary short lived factor and so not a concern.
- However, the minutes did contain several references to **downside risks**. The MPC reiterated that the "recovery would take time, and the risks around the GDP projection were judged to be skewed to the downside". It also said "the risk of a more persistent period of elevated unemployment remained material". Downside risks could well include severe restrictions remaining in place in some form during the rest of December and most of January too. That could involve some or all of the lockdown being extended beyond 2nd December, a temporary relaxation of restrictions over Christmas, a resumption of the lockdown in January and lots of regions being subject to Tier 3 restrictions when the lockdown ends. Hopefully, restrictions should progressively ease during the spring. It is only to be expected that some businesses that have barely survived the first lockdown, will fail to survive the second lockdown, especially those businesses that depend on a surge of business in the run up to Christmas each year. This will mean that there will be some level of further permanent loss of economic activity, although the extension of the furlough scheme to the end of 31st March will limit the degree of damage done.

- As for **upside risks**, we have been waiting expectantly for news that various **COVID19 vaccines** would be cleared as being safe and effective for administering to the general public. The Pfizer announcement on 9th November was very encouraging as its 90 per cent effectiveness was much higher than the 50-60 per cent rate of effectiveness of flu vaccines which might otherwise have been expected. However, their phase three trials are still only two-thirds complete. More data needs to be collected to make sure there are no serious side effects. We don't know exactly how long immunity will last or whether it is effective across all age groups. The Pfizer vaccine specifically also has demanding cold storage requirements of minus 70C that might make it more difficult to roll out. However, the logistics of production and deployment can surely be worked out over the next few months.
- However, there has been even further encouraging news since then with another two vaccines announcing high success rates. Together, these three announcements have enormously boosted confidence that **life could largely return to normal during the second half of 2021**, with activity in the still-depressed sectors like restaurants, travel and hotels returning to their pre-pandemic levels, which would help to bring the unemployment rate down. With the household saving rate currently being exceptionally high, there is plenty of pent-up demand and purchasing power stored up for these services. A comprehensive roll-out of vaccines might take into late 2021 to fully complete; but if these vaccines prove to be highly effective, then there is a possibility that restrictions could begin to be eased, possibly in Q2 2021, once vulnerable people and front-line workers had been vaccinated. At that point, there would be less reason to fear that hospitals could become overwhelmed any more. Effective vaccines would radically improve the economic outlook once they have been widely administered; it may allow GDP to rise to its pre-virus level a year earlier than otherwise and mean that the unemployment rate peaks at 7 per cent next year instead of 9 per cent. But while this would reduce the need for more QE and/or negative interest rates, increases in Bank Rate would still remain some years away. There is also a potential question as to whether the relatively optimistic outlook of the Monetary Policy Report was swayed by making positive assumptions around effective vaccines being available soon. It should also be borne in mind that as effective vaccines will take time to administer, economic news could well get worse before it starts getting better.
- **Public borrowing** is now forecast by the Office for Budget Responsibility (the OBR) to reach £394bn in the current financial year, the highest ever peace time deficit and equivalent to 19 per cent of GDP. In normal times, such an increase in total gilt issuance would lead to a rise in gilt yields, and so PWLB rates. However, the QE done by the Bank of England has depressed gilt yields to historic low levels, (as has similarly occurred with QE and debt issued in the US, the EU and Japan). This means that new UK debt being issued, and this is being done across the whole yield curve in all maturities, is locking in those historic low levels through until maturity. In addition, the UK has one of the longest average maturities for its entire debt portfolio, of any country in the world. Overall, this means that the total interest bill paid by the Government is manageable despite the huge increase in the total amount of debt. The OBR was also forecasting that the government will still be running a budget deficit of £102bn (3.9 per cent of GDP) by 2025/26. However, initial impressions are that they have taken a pessimistic view of the impact that vaccines could make in the speed of economic recovery.
- Overall, **the pace of recovery** was not expected to be in the form of a rapid V shape, but a more elongated and prolonged one. The initial recovery was sharp but after a disappointing increase in GDP of only 2.1 per cent in August, this left the economy still 9.2 per cent smaller than in February; this suggested that the economic recovery was running out of steam after recovering 64 per cent of its total fall during the crisis. The last three months of 2020 were originally expected to show zero growth due to the impact of widespread local lockdowns, consumers probably remaining cautious in spending, and uncertainty over the outcome of the UK/EU trade negotiations concluding at the end of the year also being a headwind. However, the second national lockdown starting on 5th November for one month is expected to depress GDP by 8 per cent in November while the rebound in December is likely to be muted and vulnerable to the previously mentioned downside risks. It was

expected that the second national lockdown would push back recovery of GDP to pre pandemic levels by six months and into sometime during 2023.

This recovery of growth which eliminates the effects of the pandemic by about the middle of the decade would have major repercussions for public finances as it would be consistent with the government deficit falling to 2 per cent of GDP without any tax increases. This would be in line with the OBR's most optimistic forecast in the graph below, rather than their current central scenario which predicts a 4 per cent deficit due to assuming much slower growth. However, Capital Economics forecasts assume that there is a reasonable Brexit deal and also that politicians do not raise taxes or embark on major austerity measures and so, (perversely!), depress economic growth and recovery.

- Capital Economics have not revised their forecasts for Bank Rate or gilt yields after this major revision of their forecasts for the speed of recovery of economic growth, as they are also forecasting that inflation is unlikely to be a significant threat and so gilt yields are unlikely to rise significantly from current levels.
- There will still be some **painful longer term adjustments** as e.g. office space and travel by planes, trains and buses may not recover to their previous level of use for several years, or possibly ever, even if vaccines are fully successful in overcoming the current virus. There is also likely to be a reversal of globalisation as this crisis has exposed how vulnerable long-distance supply chains are. On the other hand, digital services are one area that has already seen huge growth.
- The **Financial Policy Committee** (FPC) report on 6th August revised down their expected credit losses for the banking sector to "somewhat less than £80bn". It stated that in its assessment "banks have buffers of capital more than sufficient to absorb the losses that are likely to arise under the MPC's central projection". The FPC stated that for real stress in the sector, the economic output would need to be twice as bad as the MPC's projection, with unemployment rising to above 15 per cent.

US. The result of **the November elections** means that while the Democrats have gained the presidency and a majority in the House of Representatives, it looks as if the Republicans will retain their slim majority in the Senate. This means that the Democrats will not be able to do a massive fiscal stimulus, as they had been hoping to do after the elections, as they will have to get agreement from the Republicans. That would have resulted in another surge of debt issuance and could have put particular upward pressure on debt yields – which could then have also put upward pressure on gilt yields. On the other hand, equity prices leapt up on 9th November on the first news of a successful vaccine and have risen further during November as more vaccines announced successful results. This could cause a big shift in investor sentiment i.e. a swing to sell out of government debt to buy into equities which would normally be expected to cause debt prices to fall and yields to rise. However, the rise in yields has been quite muted so far and it is too early to say whether the Fed would feel it necessary to take action to suppress any further rise in debt yields. It is likely that the next two years, and possibly four years in the US, could be a political stalemate where neither party can do anything radical.

The economy had been recovering quite strongly from its contraction in 2020 of 10.2 per cent due to the **pandemic** with GDP only 3.5 per cent below its pre-pandemic level and the unemployment rate dropping below 7 per cent. However, the rise in new cases during quarter 4, to the highest level since mid-August, suggests that the US could be in the early stages of a third wave. While the first wave in March and April was concentrated in the Northeast, and the second wave in the South and West, the latest wave has been driven by a growing outbreak in the Midwest. The latest upturn poses a threat that the recovery in the economy could stall. This is **the single biggest downside risk** to the shorter term outlook – a more widespread and severe wave of infections over the winter months, which is compounded by the impact of the regular flu season and, as a consequence, threatens to

overwhelm health care facilities. Under those circumstances, states might feel it necessary to return to more draconian lockdowns.

However, with the likelihood that highly effective vaccines are going to become progressively widely administered during 2021, this should mean that life will start to return to normal during quarter 2 of 2021. Consequently, there should be a sharp pick-up in growth during that quarter and a rapid return to the pre-pandemic level of growth by the end of the year.

After Chair Jerome Powell unveiled the **Fed's adoption of a flexible average inflation target** in his Jackson Hole speech in late August, the mid-September meeting of the Fed agreed by a majority to a toned down version of the new inflation target in his speech - that *"it would likely be appropriate to maintain the current target range until labour market conditions were judged to be consistent with the Committee's assessments of maximum employment and inflation had risen to 2 per cent and was on track to moderately exceed 2 per cent for some time."* This change was aimed to provide more stimulus for economic growth and higher levels of employment and to avoid the danger of getting caught in a deflationary "trap" like Japan. It is to be noted that inflation has actually been under-shooting the 2 per cent target significantly for most of the last decade, (and this year), so financial markets took note that higher levels of inflation are likely to be in the pipeline; long-term bond yields duly rose after the meeting. The Fed also called on Congress to end its political disagreement over providing more support for the unemployed as there is a limit to what monetary policy can do compared to more directed central government fiscal policy. The FOMC's updated economic and rate projections in mid-September showed that officials expect to leave the fed funds rate at near-zero until at least end-2023 and probably for another year or two beyond that. There is now some expectation that where the Fed has led in changing its inflation target, other major central banks will follow. The increase in tension over the last year between the US and China is likely to lead to a lack of momentum in progressing the initial positive moves to agree a phase one trade deal. The Fed's meeting on 5 November was unremarkable - but at a politically sensitive time around the elections.

EU. The economy was recovering well towards the end of Q2 and into Q3 after a sharp drop in GDP caused by the virus, (e.g. France 18.9 per cent, Italy 17.6 per cent). However, growth is likely to stagnate during Q4, and Q1 of 2021, as a second wave of the virus has affected many countries, and is likely to hit hardest those countries more dependent on tourism. The €750bn fiscal support package eventually agreed by the EU after prolonged disagreement between various countries, is unlikely to provide significant support, and quickly enough, to make an appreciable difference in the worst affected countries. With inflation expected to be unlikely to get much above 1 per cent over the next two years, the ECB has been struggling to get inflation up to its 2 per cent target. It is currently unlikely that it will cut its central rate even further into negative territory from -0.5 per cent, although the ECB has stated that it retains this as a possible tool to use. It is therefore expected that it will have to provide more monetary policy support through more quantitative easing purchases of bonds in the absence of sufficient fiscal support from governments. The current PEPP scheme of €1,350bn of QE which started in March 2020 is providing protection to the sovereign bond yields of weaker countries like Italy. There is therefore unlikely to be a euro crisis while the ECB is able to maintain this level of support. However, the PEPP scheme is regarded as being a temporary measure during this crisis so it may need to be increased once the first PEPP runs out during early 2021. It could also decide to focus on using the Asset Purchase Programme to make more monthly purchases, rather than the PEPP scheme, and it does have other monetary policy options.

However, as in the UK and the US, the advent of highly effective vaccines will be a game changer, although growth will struggle during the closing and opening quarters of this year and next year respectively before it finally breaks through into strong growth in quarters 2 and 3. The ECB will now have to review whether more monetary support will be required to

help recovery in the shorter term or to help individual countries more badly impacted by the pandemic.

China. After a concerted effort to get on top of the virus outbreak in Q1, economic recovery was strong in Q2 and then into Q3 and Q4; this has enabled China to recover all of the contraction in Q1. Policy makers have both quashed the virus and implemented a programme of monetary and fiscal support that has been particularly effective at stimulating short-term growth. At the same time, China's economy has benefited from the shift towards online spending by consumers in developed markets. These factors help to explain its comparative outperformance compared to western economies.

However, this was achieved by major central government funding of yet more infrastructure spending. After years of growth having been focused on this same area, any further spending in this area is likely to lead to increasingly weaker economic returns in the longer term. This could, therefore, lead to a further misallocation of resources which will weigh on growth in future years.

Japan. Japan's success in containing the virus without imposing draconian restrictions on activity should enable a faster return to pre-virus levels of output than in many major economies. While the second wave of the virus has been abating, the economy has been continuing to recover at a reasonable pace from its earlier total contraction of 8.5 per cent in GDP. However, there now appears to be the early stages of the start of a third wave. It has also been struggling to get out of a deflation trap for many years and to stimulate consistent significant GDP growth and to get inflation up to its target of 2 per cent, despite huge monetary and fiscal stimulus. There has also been little progress on fundamental reform of the economy. The change of Prime Minister is not expected to result in any significant change in economic policy.

World growth. While Latin America and India have, until recently, been hotspots for virus infections, infection rates have begun to stabilise. World growth will be in recession this year. Inflation is unlikely to be a problem for some years due to the creation of excess production capacity and depressed demand caused by the coronavirus crisis.

Until recent years, world growth has been boosted by increasing **globalisation** i.e. countries specialising in producing goods and commodities in which they have an economic advantage and which they then trade with the rest of the world. This has boosted worldwide productivity and growth, and, by lowering costs, has also depressed inflation. However, the rise of China as an economic superpower over the last thirty years, which now accounts for nearly 20 per cent of total world GDP, has unbalanced the world economy. The Chinese government has targeted achieving major world positions in specific key sectors and products, especially high tech areas and production of rare earth minerals used in high tech products. It is achieving this by massive financial support, (i.e. subsidies), to state owned firms, government directions to other firms, technology theft, restrictions on market access by foreign firms and informal targets for the domestic market share of Chinese producers in the selected sectors. This is regarded as being unfair competition that is putting western firms at an unfair disadvantage or even putting some out of business. It is also regarded with suspicion on the political front as China is an authoritarian country that is not averse to using economic and military power for political advantage. The current trade war between the US and China therefore needs to be seen against that backdrop. It is, therefore, likely that we are heading into a period where there will be a **reversal of world globalisation and a decoupling of western countries** from dependence on China to supply products. This is likely to produce a backdrop in the coming years of weak global growth and so weak inflation.

Summary

Central banks are, therefore, likely to support growth by maintaining loose monetary policy through keeping rates very low for longer. Governments could also help a quicker recovery by providing more fiscal support for their economies at a time when total debt is affordable due to the very low rates of interest. They will also need to avoid significant increases in taxation or austerity measures that depress demand in their economies.

If there is a huge surge in investor confidence as a result of successful vaccines which leads to a major switch out of government bonds into equities, which, in turn, causes government debt yields to rise, then there will be pressure on central banks to actively manage debt yields by further QE purchases of government debt; this would help to suppress the rise in debt yields and so keep the total interest bill on greatly expanded government debt portfolios within manageable parameters. It is also the main alternative to a programme of austerity.

INTEREST RATE FORECASTS

Brexit. The interest rate forecasts provided by Link in paragraph 3.3 are predicated on an assumption of a reasonable agreement being reached on trade negotiations between the UK and the EU by 31.12.20. However, as the differences between a Brexit deal and a no deal are not as big as they once were, the economic costs of a no deal have diminished. The bigger risk is that relations between the UK and the EU deteriorate to such an extent that both sides start to unravel the agreements already put in place. So what really matters now is not whether there is a deal or a no deal, but what type of no deal it could be.

The differences between a deal and a no deal were much greater immediately after the EU Referendum in June 2016, and also just before the original Brexit deadline of 29.3.19. That's partly because leaving the EU's Single Market and Customs Union makes this Brexit a relatively "hard" one. But it's mostly because a lot of arrangements have already been put in place. Indeed, since the Withdrawal Agreement laid down the terms of the break-up, both the UK and the EU have made substantial progress in granting financial services equivalence and the UK has replicated the bulk of the trade deals it had with non-EU countries via the EU. In a no deal in these circumstances (a "cooperative no deal"), GDP in 2021 as a whole may be only 1.0 per cent lower than if there were a deal. In this situation, financial services equivalence would probably be granted during 2021 and, if necessary, the UK and the EU would probably rollover any temporary arrangements in the future.

The real risk is if the UK and the EU completely fall out. The UK could override part or all of the Withdrawal Agreement while the EU could respond by starting legal proceedings and few measures could be implemented to mitigate the disruption on 1.1.21. In such an "uncooperative no deal", GDP could be 2.5 per cent lower in 2021 as a whole than if there was a deal. The acrimony would probably continue beyond 2021 too, which may lead to fewer agreements in the future and the expiry of any temporary measures.

Relative to the slump in GDP endured during the COVID crisis, any hit from a no deal would be small. But the pandemic does mean there is less scope for policy to respond. Even so, the Chancellor could loosen fiscal policy by about £10bn (0.5 per cent of GDP) and target it at those sectors hit hardest. The Bank of England could also prop up demand, most likely through more gilt and corporate bond purchases rather than negative interest rates.

Brexit may reduce the economy's potential growth rate in the long run. However, much of that drag is now likely to be offset by an acceleration of productivity growth triggered by the digital revolution brought about by the COVID crisis.

So in summary there is not likely to be any change in Bank Rate in 20/21 – 21/22 due to whatever outcome there is from the trade negotiations and while there will probably be some movement in gilt yields / PWLB rates after the deadline date, there will probably be minimal enduring impact beyond the initial reaction.

The balance of risks to the UK

- The overall balance of risks to economic growth in the UK is probably now skewed to the upside, but is subject to major uncertainty due to the virus and how quickly successful vaccines may become available and widely administered to the population. It may also be affected by what, if any, deal the UK agrees as part of Brexit.
- There is relatively little UK domestic risk of increases or decreases in Bank Rate and significant changes in shorter term PWLB rates. The Bank of England has effectively ruled out the use of negative interest rates in the near term and increases in Bank Rate are likely to be some years away given the underlying economic expectations. However, it is always possible that safe haven flows, due to unexpected domestic developments and those in other major economies, could impact gilt yields, (and so PWLB rates), in the UK.

Downside risks to current forecasts for UK gilt yields and PWLB rates currently include:

- **UK** - further national lockdowns or severe regional restrictions in major conurbations during 2021.
- **UK / EU trade negotiations** – if they were to cause significant economic disruption and downturn in the rate of growth.
- **UK government** takes too much action too quickly to raise taxation or introduce austerity measures that depress demand in the economy.
- **UK - Bank of England** takes action too quickly, or too far, over the next three years to raise Bank Rate and causes UK economic growth, and increases in inflation, to be weaker than we currently anticipate.
- A resurgence of the **Eurozone sovereign debt crisis**. The ECB has taken monetary policy action to support the bonds of EU states, with the positive impact most likely for “weaker” countries. In addition, the EU agreed a €750bn fiscal support package. These actions will help shield weaker economic regions for the next year or so. However, in the case of Italy, the cost of the virus crisis has added to its already huge debt mountain and its slow economic growth will leave it vulnerable to markets returning to taking the view that its level of debt is unsupportable. There remains a sharp divide between northern EU countries favouring low debt to GDP and annual balanced budgets and southern countries who want to see jointly issued Eurobonds to finance economic recovery. This divide could undermine the unity of the EU in time to come.
- Weak capitalisation of some **European banks**, which could be undermined further depending on extent of credit losses resultant of the pandemic.
- **German minority government & general election in 2021**. In the German general election of September 2017, Angela Merkel’s CDU party was left in a vulnerable minority position dependent on the fractious support of the SPD party, as a result of the rise in popularity of the anti-immigration AfD party. The CDU has done badly in subsequent state elections but the SPD has done particularly badly. Angela Merkel has stepped down from being the CDU party leader but she intends to remain as Chancellor until the general election in 2021. This then leaves a major question mark over who will be the major guiding hand and driver of EU unity when she steps down.
- **Other minority EU governments**. Austria, Sweden, Spain, Portugal, Netherlands, Ireland and Belgium also have vulnerable minority governments dependent on coalitions which could prove fragile.
- **Austria, the Czech Republic, Poland and Hungary** now form a strongly anti-immigration bloc within the EU. In November, Hungary and Poland threatened to veto the 7 year EU budget due to the inclusion of a rule of law requirement that poses major challenges to both countries. There has also been a rise in anti-immigration sentiment in Germany and France.

- **Geopolitical risks**, for example in China, Iran or North Korea, but also in Europe and other Middle Eastern countries, which could lead to increasing safe haven flows.

Upside risks to current forecasts for UK gilt yields and PWLB rates

- **UK** - a significant rise in inflationary pressures. These could be caused by an uncooperative Brexit deal or by a stronger than currently expected recovery in the UK economy after effective vaccines are administered quickly to the UK population which leads to a resumption of normal life and a return to full economic activity across all sectors of the economy.
- The **Bank of England is too slow** in its pace and strength of increases in Bank Rate and, therefore, allows inflationary pressures to build up too strongly within the UK economy, which then necessitates a rapid series of increases in Bank Rate to stifle inflation.

Post-Brexit – if a positive agreement was reached that removed the majority of threats of economic disruption between the EU and the UK.

Appendix C

Benchmarking and Monitoring Security, Liquidity and Yield in the Investment Service.

1. These benchmarks are targets and so may be exceeded from time to time. Any variation will be reported, along with supporting reasons, in the Annual Treasury Report.

2. Yield.

The local benchmark currently used to assess the performance of cash investments is the level of returns contrasted against the London Interbank Bid (LIBID) three-month rate. This is the interest rate a bank would be willing to pay to borrow from another bank for three months.

Property related investments are benchmarked against the IPD Balanced Property Unit Trust Index.

3. Liquidity.

Liquidity is defined as the council “having adequate, though not excessive, cash resources, borrowing arrangements, overdrafts or standby facilities to enable it at all times to have the level of funds available to it which are necessary for the achievement of its business/service objectives” (CIPFA Treasury Management Code of Practice).

4. In respect of this area, the council shall seek to:

- maintain a minimal balance held in the council’s main bank account at the close of each working day. Transfers to the councils call accounts, MMF and investments will be arranged in order to achieve this, while maintaining access to adequate working capital at short notice.
- use the authorised bank overdraft facility or short term borrowing where there is clear business case for doing so, to cover working capital requirements at short notice

5. Security of the investments.

In the context of benchmarking, assessing security is very much more a subjective area to assess. Security is currently evidenced by the application of minimum credit quality criteria to investment counterparties, primarily through the use of credit ratings supplied by the three main credit rating agencies (Fitch, Moody’s and Standard and Poor’s). Whilst this approach embodies security considerations, benchmarking levels of risk is more problematic. One method to benchmark security risk is to assess the historic level of default against the minimum criteria used in the Council’s investment strategy. The table beneath shows average defaults for differing periods of investment grade products for each Fitch long term rating category over the last 20-30 years.

Average defaults for differing periods of investment

Long term rating	1 year	2 years	3 years	4 years	5 years
AA	0.04%	0.10%	0.18%	0.27%	0.36%
A	0.05%	0.15%	0.28%	0.42%	0.59%
BBB	0.16%	0.44%	0.77%	1.15%	1.55%

6. The council's minimum long term (i.e. plus 365 day duration) rating criteria is currently "A-". For comparison, the average expectation of default for a two year investment in a counterparty with an "A" long term rating would be 0.15 per cent of the total investment (e.g. for a £1m investment the average loss would be £1,500). **This is an average** - any specific counterparty loss is likely to be higher. These figures act as a proxy benchmark for risk across the portfolio.

Appendix D

Explanation of Prudential and Treasury Indicators

Prudential borrowing permits local government organisations to borrow to fund capital spending plans provided they could demonstrate their affordability. Prudential indicators are the means to demonstrate affordability.

Authorised limit for external debt – this is the maximum limit for external borrowing. This is the statutory limit determined under section 3(1) of the Local Government Act 2003. This limit is set to allow sufficient headroom for day to day operational management of cash flows.

Operational boundary for external debt – this is set as the more likely amount that may be required for day to day cash flow.

Upper limit for fixed and variable interest rate exposure – these limits allow the council flexibility in its investment and borrowing options.

Upper limit for total principal sums invested for over 365 days – the amount it is considered can be prudently invested for periods in excess of a year

Appendix E

Treasury Management Practice (TMP) 1 – credit and counterparty risk management

The CLG issued Investment Guidance in 2010, and this forms the structure of the council's policy below.

The key aim of the guidance is to maintain the current requirement for councils to invest prudently, and that priority is given to security and liquidity before yield. In order to facilitate this objective, the guidance requires this council to have regard to the CIPFA publication Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes. In accordance with the code, the Interim Head of Finance has produced its treasury management practices (TMPs). This part, TMP1(1), covering investment counterparty policy requires approval each year

The key requirements of both the Code and the investment guidance are to set an annual investment strategy, as part of its annual treasury strategy for the following year, covering the identification and approval of following:

- the strategy guidelines for decision making on investments, particularly non-specified investments.
- the principles to be used to determine the maximum periods for which funds can be committed.
- specified investments that the Council will use. These are high security (i.e. high credit rating, although this is defined by the Council, and no guidelines are given), and high liquidity investments in sterling and with a maturity of no more than a year.
- non-specified investments, clarifying the greater risk implications, identifying the general types of investment that may be used and a limit to the overall amount of various categories that can be held at any time.

The investment policy proposed for the Council is:

Strategy guidelines – The main strategy guidelines are contained in the body of the treasury strategy statement.

Specified investments – These investments are sterling investments of not more than one-year maturity, or those which could be for a longer period but where the Council has the right to be repaid within 12 months if it wishes. These are considered low risk assets where the possibility of loss of principal or investment income is small. These would include sterling investments which would not be defined as capital expenditure with:

- UK government Debt Management Agency Deposit Facility (DMADF)
- UK government – treasury stock (Gilts) with less than one year to maturity
- Supranational bonds of less than one year's duration
- Deposits with UK local authorities
- Pooled investment vehicles such as Money Market Funds (MMF) (AAA rated)
- Deposits with banks and building societies (minimum F1/A-)

- Certificates of deposits issued by banks and building societies (minimum rating as above) covers pooled investment vehicles, such as money market funds, rated AAA by Standard and Poor's, Moody's and / or Fitch rating agencies.

Within these bodies, and in accordance with the Code, the council has set additional criteria to set the time and amount of monies which will be invested in these bodies. These criteria are as stated in table 6 to this report.

Non-specified investments

These are any other type of investment (i.e. not defined or specified above). The identification and rationale supporting the selection of these other investments and the maximum limits to be applied are as set out in Table 6.

Implementation in 2018/19

In December 2017, CIPFA issued a revised Treasury Management Code of Practice and a revised Prudential Code. These revisions have particularly focused on non-treasury investments and especially on the purchase of property with a view to generating income. Such purchases could involve undertaking external borrowing to raise the cash to finance these purchases, or the use of existing cash balances.

The 2017 CIPFA Code of Practice on Treasury Management abolished the treasury indicators on limits for fixed and variable rate exposure. However, this was on the basis that authorities would explain in words how they control interest rate risk.

IFRS 9

Risk management will need to take account of the 2018/19 Accounting Code of Practice proposals for the valuation of investments. Key considerations are:

- Expected credit loss model. Whilst this should not be material for ordinary treasury investments such as bank deposits, this is likely to be challenging for some funds e.g. property funds, (and also for non-treasury management investments dealt with in the capital strategy e.g. longer dated service investments, loans to third parties or loans to subsidiaries).
- The valuation of investments previously valued under the available for sale category e.g. equity related to the "commercialism" agenda, property funds, equity funds and similar, will be changed to Fair Value through the Profit and Loss (FVPL).

Following the consultation undertaken by the Ministry of Housing, Communities and Local Government, [MHCLG], on IFRS9 the Government has introduced a mandatory statutory override for local authorities to reverse out all unrealised fair value movements resulting from pooled investment funds. This will be effective from 1 April 2018. The statutory override applies for five years from this date. Local authorities are required to disclose the net impact of the unrealised fair value movements in a separate unusable reserve throughout the duration of the override in order for the Government to keep the override under review and to maintain a form of transparency.

Appendix F

Extension to the specific responsibilities of the S151 officer as per the Treasury Management code

The below list of specific responsibilities of the S151 officer in the 2017 Treasury Management Code has not changed. However, implicit in the changes in both codes, is a major extension of the functions of this role, especially in respect of non-financial investments, (which CIPFA has defined as being part of treasury management);

- preparation of a capital strategy to include capital expenditure, capital financing, non-financial investments and treasury management, with a long-term timeframe.
- ensuring that the capital strategy is prudent, sustainable, affordable and prudent in the long term and provides value for money
- ensuring that due diligence has been carried out on all treasury and non-financial investments and is in accordance with the risk appetite of the authority
- ensure that the authority has appropriate legal powers to undertake expenditure on non-financial assets and their financing
- ensuring the proportionality of all investments so that the authority does not undertake a level of investing which exposes the authority to an excessive level of risk compared to its financial resources
- ensuring that an adequate governance process is in place for the approval, monitoring and ongoing risk management of all non-financial investments and long term liabilities
- provision to members of a schedule of all non-treasury investments including material investments in subsidiaries, joint ventures, loans and financial guarantees
- ensuring that members are adequately informed and understand the risk exposures taken on by an authority
- ensuring that the authority has adequate expertise, either in house or externally provided, to carry out the above
- creation of Treasury Management Practices which specifically deal with how non treasury investments will be carried out and managed, to include the following
 - *Risk management (TMP1 and schedules), including investment and risk management criteria for any material non-treasury investment portfolios;*
 - *Performance measurement and management (TMP2 and schedules), including methodology and criteria for assessing the performance and success of non-treasury investments;*
 - *Decision making, governance and organisation (TMP5 and schedules), including a statement of the governance requirements for decision making in relation to non-treasury investments; and arrangements to ensure that appropriate professional due diligence is carried out to support decision making;*
 - *Reporting and management information (TMP6 and schedules), including where and how often monitoring reports are taken;*

- *Training and qualifications (TMP10 and schedules), including how the relevant knowledge and skills in relation to non-treasury investments will be arranged.*

Appendix G

GLOSSARY OF TERMS

Authorised Limit	The maximum amount of external debt at any one time in the financial year.
Basis Point (BP)	1/100th of 1%, i.e. 0.01%
Base Rate	Minimum lending rate of a bank or financial institution in the UK.
Benchmark	A measure against which the investment policy or performance of a fund manager can be compared.
Bill of Exchange	A financial instrument financing trade.
Callable Deposit	A deposit placed with a bank or building society at a set rate for a set amount of time. However, the borrower has the right to repay the funds on pre-agreed dates, before maturity. This decision is based on how market rates have moved since the deal was agreed. If rates have fallen the likelihood of the deposit being repaid rises, as cheaper money can be found by the borrower.
Cash Fund Management	Fund management is the management of an investment portfolio of cash on behalf of a private client or an institution, the receipts and distribution of dividends and interest, and all other administrative work in connection with the portfolio.
Certificate of Deposit (CD)	Evidence of a deposit with a specified bank or building society repayable on a fixed date. They are negotiable instruments and have a secondary market; therefore, the holder of a CD is able to sell it to a third party before the maturity of the CD.
Commercial Paper	Short-term obligations with maturities ranging from 2 to 270 days issued by banks, corporations and other borrowers. Such instruments are unsecured and usually discounted, although some may be interest bearing.
Corporate Bond	Strictly speaking, corporate bonds are those issued by companies. However, the term is used to cover all bonds other than those issued by governments in their own currencies and includes issues by companies, supranational organisations and government agencies.
Counterparty	Another (or the other) party to an agreement or other market contract (e.g. lender/borrower/writer of a swap/etc.)
CDS	Credit Default Swap – a swap designed to transfer the credit exposure of fixed income products between parties. The buyer of a credit swap receives credit protection, whereas the seller of the swap guarantees the credit worthiness of the product. By doing this, the risk of default is transferred from the holder of the fixed income security to the seller of the swap.
CFR	Capital Financing Requirement.
CIPFA	Chartered Institute of Public Finance and Accountancy.
CLG	Department for Communities and Local Government.
Derivative	A contract whose value is based on the performance of an underlying financial asset, index or other investment, e.g. an option is a derivative because its value changes in relation to the performance of an underlying stock.
DMADF	Deposit Account offered by the Debt Management Office, guaranteed by the UK government.

ECB	European Central Bank – sets the central interest rates in the EMU area. The ECB determines the targets itself for its interest rate setting policy; this is to keep inflation within a band of 0 to 2 per cent. It does not accept that monetary policy is to be used to manage fluctuations in unemployment and growth caused by the business cycle.
Enhanced Cash Funds	A pooled investment fund. Longer dated investment than a MMF and, unlike a MMF, enhanced cash funds have variable asset value. Assets are marked to market on a daily basis and the unit prices vary accordingly. Investments can be withdrawn on a notice basis (the length of which depends on the fund) although such funds would typically be used for investments of 3 to 6 month duration.
Equity	A share in a company with limited liability. It generally enables the holder to share in the profitability of the company through dividend payments and capital gain.
Forward Deal	The act of agreeing today to deposit funds with an institution for an agreed time limit, on an agreed future date, at an agreed rate.
Forward Deposits	Same as forward dealing (above).
Fiscal Policy	The government policy on taxation and welfare payments.
GDP	Gross Domestic Product.
Gilt	Registered British government securities giving the investor an absolute commitment from the government to honour the debt that those securities represent.
Mark to Market Accounting	Accounting on the basis of the “fair value” of an asset or liability, based on the current market price. As a result, values will change with market conditions.
Minimum Revenue Provision	This is a prudent sum set aside each year to offset the principal repayment of any loan to smooth the impact on the local taxpayer.
Money Market Fund	A well rated, highly diversified pooled investment vehicle whose assets mainly comprise of short-term instruments. It is very similar to a unit trust, however a MMF relies on loans to companies rather than share holdings.
Monetary Policy Committee (MPC)	Government body that sets the bank rate (commonly referred to as being base rate). Their primary target is to keep inflation within plus or minus 1 per cent of a central target of 2.5 per cent in two years’ time from the date of the monthly meeting of the committee. Their secondary target is to support the government in maintaining high and stable levels of growth and employment.
Non-UCITS Retail Scheme (NURS) –	Undertakings for collective investments are funds authorised to be sold in the UK that are required to meet standards set by the UK services regulator. An example is property funds.
Operational Boundary	The most likely, prudent but not worst-case scenario of external debt at any one time.
Other Bonds	Pooled funds investing in a wide range of bonds.
PWLB	Public Works Loan Board.
QE	Quantitative Easing.
Retail Price Index	Measurement of the monthly change in the average level of prices at the retail level weighted by the average expenditure pattern of the average person.

Sovereign Issues (Ex UK Gilts)	Bonds issued or guaranteed by nation states, but excluding UK government bonds.
Supranational Bonds	Bonds issued by supranational bodies, e.g. European Investment Bank. The bonds – also known as Multilateral Development Bank bonds – are generally AAA rated and behave similarly to gilts, but pay a higher yield (“spread”) given their relative illiquidity when compared with gilts.
Treasury Bill	Treasury bills are short-term debt instruments issued by the UK or other governments. They provide a return to the investor by virtue of being issued at a discount to their final redemption value.

Cabinet Report



Report of Interim Head of Finance

Author: Simon Hewings

Telephone: 01235 422499

E-mail: simon.hewings@southandvale.gov.uk

Cabinet member responsible: Andy Crawford

Tel: 01235 772134

E-mail: andy.crawford@whitehorsedc.gov.uk

To: CABINET 5 February 2021
COUNCIL 10 February 2021

Capital strategy 2021/22 to 2030/31

Recommendation

- 1) That Cabinet recommends Council to approve the capital strategy 2021/22 to 2030/31 which is contained in appendix one of the report of the interim head of finance to Cabinet.
- 2) That Cabinet recommends to Council to agree the strategy for flexible use of capital receipts which is contained as appendix 1 of the capital strategy.

Purpose of Report

1. To request cabinet to recommend council to approve the capital strategy for 2021/22 to 2030/31. The capital strategy outlines the council's approach to capital spending, based on the council's corporate strategy, and is linked to the council's corporate objectives, medium term financial strategy, and management of projects and programmes.

Strategic Objectives

2. The capital strategy assists the council in meeting its strategic objectives. It will provide a high-level overview of how capital expenditure; capital financing and treasury management activity contribute to the provision of services. By determining the framework within which decisions on capital expenditure and investment are made the strategy will ensure that such decisions assist the council in meeting its corporate strategic objectives.

Background

3. The Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code requires local authorities to produce a capital strategy to demonstrate that capital expenditure and investment decisions are taken in line with service objectives and take

account of stewardship, value for money, prudence, sustainability and affordability. Under the Code, a capital strategy is required to be agreed ahead of the 2020/21 financial year and will be reviewed on an annual basis.

4. The capital strategy for 2021/22 to 2030/31 is attached as appendix one to this report. The strategy provides the overall policy framework for capital expenditure and investment. It does this by bringing together the requirements of the council's strategic objectives, and the constraints of its medium term financial plan, and within the parameters set by those it determines how capital schemes can be progressed from initial idea through to conclusion.
5. There are number of key "building blocks" that are essential to underpin the strategy that are currently being developed. These include:
 - An asset management strategy and maintenance plan
 - Medium term service planning.
6. The capital strategy will be a key document for the council going forward. It will provide a high-level overview of how capital expenditure; capital financing and treasury management activity contribute to the provision of services. It will also provide an overview of how associated risk is managed and the implications for future financial sustainability. It will increase transparency in the planning, approval and monitoring of capital expenditure.
7. This year the strategy includes within it a strategy for the flexible use of capital receipts. This identifies revenue activity which, under guidance issued by the Secretary of State for Communities and Local Government in 2016, is eligible to be funded using capital receipts rather than revenue resources.

Financial Implications

8. There are no direct financial implications arising from implementing the strategy.

Legal Implications

9. None.

Conclusion

10. This report provides details of the proposed capital strategy for 2021/22 to 2030/31 and asks cabinet to recommend the capital strategy to council. These documents provide the parameters within which capital expenditure and investment decisions will be made once the supporting requirements are in place.

Background Papers

The Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code for Capital Finance in Local Authorities.

Appendices

Appendix one Capital strategy 2021/22 to 2030/31.

Appendix 1

**Capital Strategy
2021/22 – 2030/31**

DRAFT

Contents

1 Introduction.....	3
2 Purpose.....	3
3 Scope	3
4 Capital Expenditure	3
5 Delivery and Commercial Investments.....	4
5.1 Delivery investments	4
5.2 Commercial investments	4
6 Due Diligence.....	4
7 Council Objectives	5
8 The Capital Budget Setting Process	5
8.1 Key Criteria for Strategy	5
8.2 Deciding which Schemes are to be put forward for review.....	5
8.3 Prioritisation of Schemes put forward.....	6
8.4 Options Appraisals and Feasibility Studies	6
8.5 In Year Opportunities	7
8.6 Member Approval Process	7
9 Monitoring of the Capital Programme Expenditure.....	7
10 Multi-Year Schemes.....	7
11 Funding Strategy and Capital Policies.....	8
11.1 External Funding.....	8
11.2 Capital Receipts	8
11.4 Prudential/Unsupported Borrowing.....	8
11.5 Invest to Save Schemes	9
11.6 Leasing	9
12 Procurement and Value for Money.....	9
13 Performance Management.....	9
14 Risk Management.....	10

1 Introduction

The council's capital strategy represents its approach to future investment in achieving its agreed objectives, whilst having regard to governance and its limited financial resources available. The council has a significant capital investment programme for the period from 2021/22 to 2026/27, whilst facing a number of competing demands on finite resources. To achieve its' aims and objectives the council seeks to work with partners who share its ambitions for improved outcomes for all its residents and will introduce a capital investment programme that will facilitate its key objectives.

2 Purpose

The Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code requires local authorities to produce a capital strategy to demonstrate that capital expenditure and investment decisions are taken in line with long-term objectives and take account of stewardship, value for money, prudence, sustainability and affordability.

The Capital Strategy will be a key document for the Council and will form part of the authority's integrated revenue, capital and balance sheet planning. It will provide a high-level overview of how capital expenditure; capital financing and treasury management activity contribute to the provision of services. It will also provide an overview of how associated risk is managed and the implications for future financial sustainability. It will include an overview of the governance processes for developing proposals, approval and monitoring of capital expenditure.

3 Scope

This Capital Strategy will include all capital expenditure and capital investment decisions, not only as an individual local authority but also any entered into under joint arrangements. It sets out the long-term context in which decisions are made with reference to the life of the projects/assets and will stress the need for evidence-based decision making.

4 Capital Expenditure

Capital expenditure is incurred on the acquisition or creation of assets, or expenditure that enhances or adds to the life or value of an existing fixed asset that is needed to provide services. Fixed assets are tangible or intangible assets that yield benefits to the Council generally for a period of more than one year, e.g. land, buildings, vehicles. This contrasts with revenue expenditure which is spending on the day to day running costs of services such as employee costs and supplies and services.

The capital programme is the authority's plan of capital works for future years, including details on the funding of the schemes. Included are the projects such as the purchase of land and buildings, the construction of new buildings, design fees

and the acquisition of vehicles and major items of equipment. Also included would be any commercial investments.

5 Delivery and Commercial Investments

These are investments for policy reasons outside of normal treasury management activity. These may include:

5.1 Delivery investments

These are investments held clearly and explicitly in the course of the provision, and for the purposes, of operational delivery, including regeneration.

5.2 Commercial investments

These are investments taken for mainly financial reasons. These may include:

1. investments arising as part of business structures, such as shares and loans in subsidiaries or other outsourcing structures such as IT providers or building services providers;
2. investments explicitly taken with the aim of making a financial surplus for the Council.

Commercial investments also include fixed assets which are held primarily for financial benefit, such as investment properties.

Due to the nature of the assets or for valid investment reasons, such investments do not always give priority to security and liquidity over yield. In these cases, such a decision will be explicit, with the additional risks set out and the impact on financial sustainability identified and reported.

The Section 151 Officer/Interim Head of Finance will ensure that the Council has the appropriate legal powers to undertake such investments and will also ensure the proportionality of all investments so that the Council does not undertake a level of investing which exposes it to an excessive level of risk compared to its financial resources.

6 Due Diligence

For all capital investments, it is proposed that the appropriate level of due diligence will be undertaken with the extent and depth reflecting the level of additional risk being considered.

The process and procedures will include effective scrutiny of proposed investments that will, for example, consider:

- identification of the risk to both the capital sums invested and the returns;
- understanding the extent and nature of any external underwriting of those risks;

- the potential impact on the financial sustainability of the Council if those risks come to fruition;
- identification of the assets being held for security against debt and any prior charges on those assets;
- where necessary independent and expert advice will be sought.

The Section 151 Officer/Interim Head of Finance will ensure that members are adequately informed and understand the risk exposures being taken. Internal control and policy compliance will regularly be assessed by Joint Audit and Governance Committee.

7 Council Objectives

The Council has a set of corporate aims, priorities and objectives which shapes the provision of services. These are set out in the Corporate Plan. Capital investment projects if, and when undertaken, must be in line with these overall objectives and considered in the longer term.

8 The Capital Budget Setting Process

8.1 Key Criteria for Strategy

For any budget setting year, the key criteria by which proposals would be considered will be set. These may include for example:

- Maintenance of the essential infrastructure of the organisation;
- Essential Health and Safety works;
- Essential rolling programmes;
- Invest to save schemes;
- Match funded investment for regeneration projects;
- The outcome of feasibility studies.

8.2 Deciding which Schemes are to be put forward for review

When decisions on capital projects to be put forward are made it is proposed that consideration is given to the following:

Prudence:

- Recognition of the ability to prioritise and refocus following changes to the Council's Corporate Plan;
- Recognition of the capacity in the organisation to deliver such a programme;
- Recognition of the knowledge and skills available and whether these are commensurate with the appetite for risk;
- Recognition of the future vision of the authority;

- The approach to commercial activities including ensuring effective due diligence, defining the risk appetite and considerations of proportionality in respect of overall resources;
- The approach to treasury management and the management of risk is set out in the Treasury Management Strategy.

Affordability:

- Revenue impact of the proposals on the Medium Term Financial Plan;
- The borrowing position of the Council as required, projections of external debt and the use of internal borrowing to support capital expenditure;
- The authorised limits and operational boundaries;
- Whether schemes are profiled to the appropriate financial year.

Sustainability:

- An overview of asset management planning including maintenance requirements and planned disposals;
- A long-term view of capital expenditure plans, where long term is defined by the financing strategy of and risks faced with reference to the life of the project/assets;
- If the need to borrow is approved provision for the repayment of debt over the life of the underlying debt as set out in the Minimum Revenue Provision policy and consideration by Joint Audit and Governance Committee of the impact on the repayment on future viability.

All proposals would be produced in line with the Corporate Delivery Framework which will ensure the above points on prudence, affordability and sustainability are considered.

Sources of funding would be considered for each of the proposed capital schemes. Each project would be considered in terms of revenue funding to cover the operational running costs of the asset and any borrowing repayment costs, and how the asset would be funded in terms of capital expenditure. This is known as whole life budgeting.

8.3 Prioritisation of Schemes put forward

A system for prioritising capital projects will be adopted where funds allow.

8.4 Options Appraisals and Feasibility Studies

As part of the process of producing a list of potential schemes the capital programme option appraisals will be required to determine the most cost effective and best service delivery options.

Some projects may require a feasibility study. As part of any feasibility study an assessment of the maintenance costs per annum averaged over the whole life of the asset will be calculated.

8.5 In Year Opportunities

Schemes which arise during the year will only be considered for inclusion in the capital programme if they meet key criteria set out in section 8.1 or one or more of the following criteria:

- The location of the property to be purchased will bring added value to the estate;
- The requirement for the asset is an extraordinary service demand which could not be anticipated in the normal planning processes.

8.6 Member Approval Process

As part of the annual budget cycle.

9 Monitoring of the Capital Programme Expenditure

The Capital Budget Monitoring Report is currently produced periodically, listing provisional and approved capital schemes, giving details of the project manager, budgets, year to date spend, brought forward spend and capital financing.

The report is sent to budget managers of each department for comment and reports are returned to Finance Team for incorporating into the Capital Budget Monitoring Report that is sent to the Strategic Management Team for review to ensure schemes are on target. Summaries are presented to formal Cabinet meetings for consideration.

When the capital schemes are completed a full evaluation report will be made available.

10 Multi-Year Schemes

Payments for capital schemes often occur over many years, depending on the size and complexity of the project. Estimated payment patterns are calculated for each project so that the expected capital expenditure per year is known. This is known as a cash flow projection and is key to analysing funding requirements.

The length of the planning period is defined by the financing strategy and the risks faced with reference to the life of the project/assets. For example, some schemes may span two or three years whereas others may be over much longer timeframes.

This allows greater integration of the revenue budget and capital programme and matches the time requirement for scheme planning and implementation since schemes have a considerable initial development phase.

11 Funding Strategy and Capital Policies

This section sets out the policies of the Council in relation to funding capital expenditure and investment.

11.1 External Funding

The Council will seek to maximise external funding wherever possible to support capital schemes. This can be in the form of grants and contributions from outside bodies including central government.

Prior to submitting proposals for grant funding, an assessment of the risk of a contract price increase, associated with market conditions or abnormal building plan demands attached to some grants, must be completed to estimate the likelihood of additional funding being needed.

11.2 Capital Receipts

A capital receipt is an amount of money which is received from the sale of an asset. In most cases they cannot be spent on revenue items. However, capital receipts may be spent on certain projects as defined in the Statutory Guidance on the Flexible Use of Capital Receipts (updated) March 2016 by Department for Communities and Local Government.

11.3 Flexible Use of Capital Receipts

The Council will adopt a strategy on the flexible use of capital receipts as detailed in Annex A of this report.

11.4 Prudential/Unsupported Borrowing

Local Authorities can set their own borrowing levels based on their capital need and their ability to pay for the borrowing. The levels will be set by using the indicators and factors set out in the Prudential Code. This borrowing may also be referred to as Prudential Borrowing.

Section 151 Officer/Interim Head of Finance will make an assessment of the overall prudence, affordability and sustainability of the total borrowing which is reviewed by the Joint Audit and Governance Committee before approval by the Council. The impact of this borrowing will be reported in the Treasury Management Strategy alongside the Prudential Indicators required by CIPFA's Prudential Code for Capital Finance.

The view of the Section 151 Officer/Interim Head of Finance will be fed into the corporate budget process so that, should the required borrowing levels be unaffordable or not prudent, then the schemes will be prioritised against the available funding from borrowing.

Section 151 Officer/Interim Head of Finance will also determine whether the borrowing should be from internal resources, or whether to enter external borrowing.

11.5 Invest to Save Schemes

Occasionally projects arise which require set-up costs. Such projects may bring long term service delivery improvements and/or cost savings. The initial set up costs may be of a revenue or capital nature. Assistance for these schemes must be considered on an individual basis.

For 'invest to save' schemes it is expected that in the longer term these schemes will produce savings and/or additional income that will support the revenue budget.

11.6 Leasing

Section 151 Officer/Interim Head of Finance may enter into finance leasing agreements to fund capital expenditure. However, a full option appraisal and comparison of other funding sources will be made, and the Section 151 Officer/Interim Head of Finance will ascertain that leasing provides the best value for money method of funding the scheme.

Under the Prudential Code finance leasing agreements are counted against the overall borrowing levels when looking at the prudence of the authority's borrowing.

12 Procurement and Value for Money

Procurement is the purchase of goods and services, with a strategy being developed to assist with the definition of quality standards and securing provision of the best possible services for local people for a given price.

The Councils' procurement team helps to ensure value for money and to identify where efficiency savings can be achieved. This also covers capital procurement.

It is essential that all procurement activities comply with procurement legislation and adhere to the relevant requirements. Guidance on this can be sought from the Procurement team. Procurement must also comply with the Councils policies and regulations such as Contract Procedural Rules and Financial Regulations.

The main aim is to hold 'value for money' as a key goal in all procurement activity to optimise the combination of cost and quality and ensure all expenditure is appropriate.

13 Performance Management

Clear measurable outcomes will be developed for each capital scheme. After the scheme has been completed, a review can be undertaken.

Reviews will look at the effectiveness of the whole project in terms of operational delivery outcomes, design and construction, financing etc. and identify good practice and lessons to be learnt in delivering future projects.

14 Risk Management

To manage risk effectively, the risks associated with each capital project will be identified, analysed, and monitored.

It is important to identify the appetite for risk (see below) by each scheme and for the capital programme, especially when investing in capital assets held primarily for financial returns. Under the CIPFA Prudential Code these are defined as investments and so the key principle of control of risk and optimising returns consistent with the level of risk applies.

Section 151 Officer/Interim Head of Finance will explicitly identify the affordability and risk associated with the Capital Strategy. Where appropriate they will consider specialised advice to assist in decision making.

An assessment of risk will therefore be built into every capital project and major risks recorded in a Risk Register, before consideration by Council.

Annex A

Strategy for Flexible use of Capital Receipts

Purpose

1. This report reviews the statutory guidance on the flexible use of Capital Receipts and its application within this Council.

Background

2. Capital receipts can only be used for specific purposes and these are set out in Regulation 23 of the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 made under Section 11 of the Local Government Act 2003. The main permitted purpose is to fund capital expenditure but the use of capital receipts to support revenue expenditure is not permitted by these regulations.

3. The Secretary of State is empowered to issue Directions allowing expenditure incurred by local authorities to be treated as capital expenditure. Where such a direction is made, the specified expenditure can then be funded from capital receipts under these Regulations.

4. The Secretary of State for Communities and Local Government has issued guidance in March 2016, giving local authorities greater freedoms with how capital receipts can be used to finance expenditure. This Direction allows for the following expenditure to be treated as capital,

“expenditure on any project that is designed to generate ongoing revenue savings in the delivery of public services and/or transform service delivery to reduce costs and/or transform service delivery in a way that reduces costs or demand for services in future years for any of the public sector delivery partners.”

5. In order to comply with this Direction, the Council must consider the Statutory Guidance issued by the Secretary of State. This Guidance requires authorities to prepare, publish and maintain a Flexible Use of Capital Receipts Strategy with the initial strategy being effective from 1st April 2016 with future Strategies included within future Annual Budget documents.

6. There is no prescribed format for the Strategy, the underlying principle is to support local authorities to deliver more efficient and sustainable services by extending the use of capital receipts to support the revenue costs of reform projects.

7. The Statutory Guidance for the Flexible Use of Capital Receipts Strategy states that the Strategy should include a list of each project which plans to make use of the capital receipts flexibility. The Strategy should also include the impact of this flexibility on the affordability of borrowing by including updated Prudential Indicators.

Flexible Use of Capital Receipts Strategy

8. Government has provided a definition of expenditure which qualifies to be funded from capital receipts. This is:

“Qualifying expenditure is expenditure on any project that is designed to generate ongoing revenue savings in the delivery of public services and/or transform service delivery to reduce costs and/or transform service delivery in a way that reduces costs or demand for services in future years for any of the public sector delivery partners. Within this definition, it is for individual local authorities to decide whether or not a project qualifies for the flexibility.”

9. The Council's intends to use the following use of capital receipts to fund the following transformation projects:

Project Description	2020/21 £000	2021/22 £000
Costs of transformation activity as outlined in the budget setting report for 2020/21	250	250
Total	250	250

11. The Council will revisit the use of capital receipts to fund projects during the financial year if further opportunities arise for consideration.

Impact on Prudential Indicators

12. The guidance requires that the impact on the Council's Prudential Indicators should be considered when preparing a Flexible Use of Capital Receipts Strategy.

13. The key indicator that is impacted by this strategy is the “Estimates of Capital Expenditure Indicator”, which will increase by £500,000 over the two financial years.

Licensing Acts Committee



Report of Head of Housing and Environment

Author: Laura Driscoll

Telephone: 01235 422561

E-mail: laura.driscoll@southandvale.gov.uk

Executive member responsible: Helen Pighills

Tel: 01235 534446

E-mail: helen.pighills@whitehorsedc.gov.uk

To: Licensing Acts Committee

DATE: 28 January 2021



Review of Joint Statement of Licensing Policy

Recommendation(s)

The committee is recommended to consider the outcome of the consultation and recommend Council to

- (i) authorise the Head of Housing and Environment to make minor editorial changes to the Joint Statement of Licensing Policy, and
- (ii) adopt the proposed Joint Statement of Licensing Policy with effect from 12 February 2021.

Purpose of Report

1. To consider the Joint Statement of Licensing Policy following the statutory consultation.

Strategic Objectives

2. The relevant strategic objectives are 'Working in an open and inclusive way' and 'Building Healthy Communities'. The policy will also ensure the council is meeting its statutory responsibilities.

Background

3. The council's current Joint Statement of Licensing Policy came into effect from 7 January 2016. The policy is subject to statutory review every five years. As a result

of the workload associated with the covid-19 pandemic, the review has been delayed.

Proposed policy

4. The proposed new policy is attached at **Appendix A**.
5. A summary of changes that were made prior to the consultation, and an explanation of the reasons for the changes, can be found at **Appendix B**.

Consultation results

6. The consultation ran from 23 November 2020 to 17 December 2020. It was a public consultation with an online survey, and in addition was sent to:
 - all the responsible authorities as defined in the Licensing Act 2003
 - Vale of White Horse District Council Community Safety team
 - All other licensing authorities in Oxfordshire
 - All councillors
 - Town and Parish Councils
 - Trade bodies, associations and representatives
7. A report on the results of the consultation can be found at **Appendix C**. There were eight responses to the consultation, and the report details how the comments and suggested amendments have been incorporated into the proposed new policy.
8. There is no reason, from the consultation responses, not to recommend the adoption of the Joint Statement of Licensing Policy to take effect from 12 February 2021. The policy will next be due for review by 11 February 2026.

Financial Implications

9. There are no anticipated financial implications arising from the adoption of the proposed policy.

Legal Implications

10. The policy has been drafted to reflect current legislative requirements and statutory guidance. The policy must be taken into consideration when making decisions in respect of matters relating to the Licensing Act 2003.

Risks

11. Failure to properly consider the policy could result in the councils not complying with the legislation or statutory guidance. Having a clear policy helps to ensure that licensing decisions are fair, consistent and comply with the legislation.

Other Implications

12. There are no other implications.

Conclusion

13. The committee is recommended to consider the outcome of the consultation and recommend Council to:

- (i) authorise the Head of Housing and Environment to make minor editorial changes to the Joint Statement of Licensing Policy, and
- (ii) adopt the proposed Joint Statement of Licensing Policy with effect from 12 February 2021.

Background Papers

- Appendix A – Proposed Joint Statement of Licensing Policy
- Appendix B – Summary of changes
- Appendix C – Report on results of consultation

Licensing Act 2003

Joint Statement of Licensing Policy

This policy was adopted by the Vale of White Horse District Council at the meeting of Council on **DATE** and South Oxfordshire District Council at the meeting of Council on **DATE** and comes into force on **DAY AFTER** and will remain in force for a period of five years from that date unless previously amended.

Contents

1.	Introduction, Purpose and Scope	3
2.	Licensing Objectives and Key Aims	4
3.	The Operating Schedule and Conditions	6
4.	Prevention of Crime and Disorder	8
5.	Public Safety	12
6.	Prevention of public nuisance	15
7.	Protection of children from harm	17
8.	Representations	20
9.	Determination of Applications	21
10.	Temporary Event Notices	22
11.	Large scale events	23
12.	Personal Licences	23
13.	Club Premises Certificates	24
14.	Appeals	25
15.	Management of Licensed Premises	25
16.	Complaints, Enforcement and Inspections	26
17.	Reviews of Premises Licences and Club Premises Certificates	27
18.	Special licensing policies	28
	Contacts	31
	Glossary	32
	Appendix A – Promotional materials for licensed premises	36

1. Introduction, Purpose and Scope

- 1.1 This Statement of Licensing Policy ('policy') has been prepared having regard to the guidance issued under Section 182 of the Licensing Act 2003 ('the Act') and as required of the Licensing Authority under Section 5 of the Act. It takes effect from 12 February 2021 and will be scheduled for review by 11 February 2026. This policy will be kept under review throughout its period of validity and amended as considered necessary.
- 1.2 This document sets out the councils' (the Licensing Authority) policy in respect of its licensing functions for the next five years. These include policy formulation, administration, compliance and enforcement. The latter will include working with and sharing permitted data with other regulatory and enforcement agencies.
- 1.3 This policy has four main purposes, which are:
- **to confirm to members** of the Licensing Acts Committees, the boundaries and powers of the authorities and the parameters within which to make decisions;
 - **to inform licence applicants** of the parameters within which the authorities will make licensing decisions and therefore how licensed premises are likely to be able to operate within the areas of the two councils;
 - **to inform local residents and businesses** of the parameters within which the authorities will make licensing decisions and therefore how their needs will be addressed; and
 - **to support a case in a court of law** where either authority has to show how it arrived at its licensing decisions.
- 1.4 Each council has different roles under the Act, so:
- 'authority' is used where it acts as the Licensing Authority under the Act
 - 'council' is used where parts of the council act in other capacities, e.g.
 - to determine policy;
 - when the 'council' applies to the 'authority' for a licence for council premises;
 - when environmental health or planning officers make relevant representations about applications received.
- 1.5 This policy is not intended to duplicate existing legislation and regulatory regimes that already place obligations on operators, for example the Health and Safety at Work etc. Act 1974 and the Regulatory Reform (Fire Safety) Order 2005. In addition, it should be noted that the planning and licensing regimes are separate. There is no legal basis for the authority to refuse a licence application because it does not have planning permission.
- 1.6 Each application will be determined on its own merits having regard to the licensing objectives, relevant guidance including that issued under Section 182 of the Act and this policy.

- 1.7 It should be understood that this policy cannot anticipate every scenario that may arise and as such there may be circumstances where the policy may be departed from in the interests of the promotion of the licensing objectives and where it is deemed appropriate to do so. In such cases the Licensing Authority will give full reasons for departing from this policy.
- 1.8 In considering and determining applications the Licensing Authority will take into account any other relevant legislation or statutory guidance, including the Equality Act 2010 and the Human Rights Act 1998. The statutory right of any responsible authority or other person to make appropriate representations to an application or to seek a review in respect of a granted authorisation where appropriate is accepted. The solicitor to the councils will ensure that the rules of natural justice will be applied at all times during hearings or reviews.
- 1.9 In reviewing this policy the Licensing Authority consulted with all necessary bodies and relevant stakeholders. The consultation process was conducted in November/December 2020 by way of a direct communication via email and also via publication on the councils' websites. A list of those consulted and a summary of the responses received is available from the Licensing Authority on request. In determining the policy, the councils have taken into consideration any comments made by consultees and the experience of administering and enforcing the Act since its introduction.
- 1.10 To ensure this policy integrates with other strategies, the Licensing Authority will continue to develop close working partnerships with the responsible authorities and other associated groups such as the Community Safety Partnership. Examples of promotional material relating to licensed premises can be found at Appendix A.
- 1.11 The Licensing Authority, on behalf of the councils, may notify parties they consider appropriate such as district councillors, town and parish councils of relevant applications.

2. Licensing Objectives and Key Aims

- 2.1 The aim of the licensing process is to regulate licensable activities so as to promote the licensing objectives.
- 2.2 There are four licensable activities under the Act:
- retail sales of alcohol;
 - the supply of alcohol by or on behalf of a club
 - the provision of regulated entertainment; and
 - the provision of late night refreshment.
- 2.3 The Licensing Authorities will carry out their licensing functions under the Act with a view to promoting the four licensing objectives, which are:
- Prevention of Crime and Disorder
 - Public Safety
 - Prevention of Public Nuisance
 - Protection of Children from Harm

- 2.4 Each of the four licensing objectives is of equal importance and will be considered in relation to matters centred on the premises and the operation of the business, or within the control of the licensee.
- 2.5 An effective licensing policy, alongside other initiatives, will work towards promoting the positive aspects of licensable activities, such as promoting leisure provision as well as controlling any negative impacts such as increase in crime and disorder, noise, nuisance and anti-social behaviour.
- 2.6 It is recognised that the provision of entertainment is a major contributor to the economy of an area. It makes for a vibrant and attractive area, which subsequently has a positive effect on employment. A diverse range of licensed premises throughout the area makes a major contribution to attracting both initial and repeat visitors to the area. It is also recognised that owners and occupiers of commercial premises have a legitimate expectation of an environment that makes and keeps their businesses sustainable.
- 2.7 The policy aims to give direction to applicants to assist them to make informed decisions about their proposed licensable activities, and to licence holders so they are aware of the expectations of the Licensing Authority in operating their premises so they continue to actively promote the licensing objectives.
- 2.8 The other key aims of this policy are for the relevant council as the Licensing Authority to:
- recognise the need to assist in building a fair, vibrant, and prosperous society that properly balances the rights of residential communities, the business sector and other relevant parties.
 - secure the safety and amenity of residential communities whilst facilitating a sustainable, diverse, entertainment and hospitality sector in the district.
 - integrate its aims and objectives with other initiatives that will:
 - create an attractive and vibrant area, which has a positive effect on employment
 - reduce local crime, disorder and anti-social behaviour
 - reduce the health impacts of alcohol misuse and dependence, including the impact of alcohol related incidences on accident and emergency services
 - reduce the supply and use of illegal drugs in licensed premises
 - encourage the self-sufficiency of local communities
 - reduce the burden of unnecessary regulation on businesses and promote self-help
 - endeavour to reflect the diversity of the districts through their blend of urban and rural settlements
 - continue its commitment to working in partnership with other agencies and organisations through both formal and informal arrangements towards the promotion of the objectives set out in this policy.
- 2.9 The council has published a Local Alcohol Profile with maps on our website. These aim to increase awareness of local risks and improve information sharing in order to facilitate positive engagement with licensees and a more

coordinated approach to local risks. They also inform applicants of the specific risks that need to be considered prior to submitting any new or variation licence applications or temporary event notices, to ensure the promotion of the licensing objectives.

- 2.10 The Licensing Authority recognises that the Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, and to promote equality of opportunity and good relations between persons of protected characteristics. The Licensing Authority expects that licensed premises will not discriminate against any person based solely on any of these characteristics – for example, refusing a person entry to a licensed premises on the basis of their race, sex or age. The sole exception to this will be where such action is necessary to comply with legal requirements or licence conditions, particularly in respect of ensuring an individual's age in situations where licence holders must restrict access to age-restricted goods or services to any person who is below the legal age for that good or service - for example, the sale of alcohol to under 18s, or admission of under 15s or under 18s to a film with a '15' or '18' certificate.
- 2.11 The Licensing Authority will also expect member's clubs to ensure that their membership rules do not result in discrimination against a person on the basis of a protected characteristic – for example, maintaining different membership classes for persons of different sexes.
- 2.12 It is expected that all licensed premises give due consideration to the needs and requirements of access to licensed premises by disabled or less mobile customers and to make reasonable adjustments to ensure their operations are inclusive.

3. The Operating Schedule and Conditions

- 3.1 All applicants for the grant or variation of a premises licence or club premises certificate are required to provide an operating schedule as part of their application. This is a key document and, if prepared comprehensively, will significantly reduce the likelihood of the application attracting representations. The Licensing Authority expects an operating schedule to indicate the steps that the applicant proposes to take to promote the licensing objectives having regard to the type of premises, the licensable activities to be provided, the nature of the location and the impact on the local community. This should follow a thorough risk assessment relating to the specific premises, the locality and the licensable activities proposed to take place.
- 3.2 Applicants are strongly recommended to discuss their operating schedule with the responsible authorities prior to submitting the application. The Licensing team can assist in coordinating this process.
- 3.3 Applicants are strongly recommended to contact the planning department at the relevant council to ensure that they have the correct permissions in place for the activities they propose to carry out.

- 3.4 The complexity and detail required in the operating schedule will depend upon the nature and use of the premises. It must include details of the following:
- Full details of the licensable activities to be undertaken and the intended use of the premises;
 - The times during which licensable activities will take place;
 - Any other times when the premises are to be open to the public;
 - Where the licence is only required for a limited period, that period;
 - Where the licensable activities include the supply of alcohol, the name and address of the individual proposed to be designated premises supervisor;
 - Whether alcohol will be supplied for consumption on or off the premises or both; and
 - The steps the applicant proposes to promote the licensing objectives in the local area.
- 3.5 Measures to promote the licensing objectives which are included in the operating schedule are used to form conditions attached to the licence and should therefore be clear, concise and unambiguous. To assist with this, the Licensing Team has produced guidance to applicants which contains a pool of model conditions. This document is available on the councils' websites and on request from the Licensing Team. We will use this document when translating proposed measures into clear, enforceable conditions.
- 3.6 The following sections are intended to assist applicants by setting out criteria and considerations that they should bear in mind when drawing up an operating schedule. They alert applicants to any matters that responsible authorities are likely to consider when deciding whether to make representations on an application or whether to call for a review of the premises licence.
- 3.7 Applicants are expected to make themselves aware of any relevant policies and strategies such as those relating to planning, tourism, local crime prevention and alcohol harm reduction, and to have taken these into account when formulating their operating schedule.
- 3.8 The Licensing Authority deals with the issue of licensing hours on the individual merits of each application and will consider the measures proposed to deal with the potential for nuisance and/or public disorder. However, when issuing a licence with hours extending beyond 11pm, higher standards of control need to be included in operating schedules in order to promote the licensing objectives, especially for premises, which are situated in, or near, residential areas or in areas where crime and/or anti-social behaviour is an issue.
- 3.9 The Licensing Authority recognises that having fixed early closing times in certain areas can lead to peaks of disorder and disturbance on the streets when large numbers of people leave licensed premises at the same time. The Licensing Authority also recognises that fixed terminal hours in designated areas (known as 'zoning') can lead to the significant movement of people across boundaries in search of premises opening later. The Licensing Authority aims, through the promotion of the licensing objectives, to reduce the potential

for concentrations of people and thus achieve a slower dispersal of people from licensed premises through longer opening times when appropriate.

- 3.10 With regard to shops, stores and supermarkets, the normal scenario will be for such premises to provide sales of alcohol for consumption off the premises at any time when the retail outlet is open for shopping unless representations raise reasons, based on the licensing objectives, for restricting those hours.
- 3.11 Conditions attached to various authorisations will be focused on matters which are within the control of licence holders, and will focus primarily on the direct impact of any activities taking place at those premises on those living, working, or otherwise engaged, in the area concerned.
- 3.12 The licensing function is not a mechanism for the control of anti-social behaviour by individuals once they are beyond the direct control of the licence holder of any premises concerned. Conditions attached to licences must only seek to impact on the behaviour of customers on, or in the immediate vicinity of the premises as they seek to enter or leave.
- 3.13 Conditions shall be appropriate and proportionate to achieve the promotion of the licensing objectives, and shall be tailored to suit the circumstances and premises. Conditions will not be attached where adequate legislative control exists.
- 3.14 If no representations are received, there is no provision for a Licensing Authority to impose conditions on a licence other than the mandatory conditions and those proposed by the applicant within the operating schedule which will be translated into clear, enforceable conditions by the Licensing Authority.
- 3.15 The Licensing Authority must balance the interests of applicants (as stated in their applications) and any interests stated by responsible authorities and other persons (in relevant representations).
- 3.16 Sections 4 to 8 of this document set out the Licensing Authority's policy relating to each of the four licensing objectives. It is emphasised that the promotion of these objectives are the only matters which can be taken into account by the licensing panel and they will pay particular attention to them at a hearing, when determining applications and applying any conditions.

4. Prevention of Crime and Disorder

- 4.1 The Licensing Authority has a duty to act solely or with its partners to reduce crime and disorder throughout the district, consistent with its statutory duty under section 17 of the Crime and Disorder Act 1998. The councils as members of the South and Vale Community Safety Partnership will work with partners to utilise legislation as required to prevent crime and disorder issues and promote public safety. In addition the councils will work in partnership with the Home Office in relation to illegal working on licensed premises.
- 4.2 Responsible applicants will ensure proper regard in their operating schedule to the location, character and condition of the premises, the nature and extent of the proposed use and the persons likely to be attracted to the premises.

- 4.3 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to reduce or prevent crime and disorder on and in the vicinity of their premises, relevant to the individual style and characteristics of their premises or event.

Pubwatch

- 4.4 The Licensing Authority recognises the value of Pubwatch schemes and will play a supportive role and attend meetings whenever possible. Where such a scheme is active in the locality of a premises, the applicant is strongly encouraged to become an active member of Pubwatch. As well as traditional pubs and entertainment venues, this includes premises that are licensed solely for the sale of alcohol for consumption off the premises.
- 4.5 Pubwatch provides a forum for sharing information, disseminating best practice and meeting with representatives of the Licensing Authority, the police and other responsible authorities. The Licensing Authority encourages all licensees to actively participate in their local Pubwatch scheme and will support the development of schemes where there is a demand.

Information sharing and reporting incidents

- 4.6 As well as sharing information through formalised Pubwatch schemes, licensees are encouraged to share and report incidents to relevant agencies as and when appropriate, rather than waiting for a next meeting. Any issues of crime and disorder should be reported as soon as possible to Thames Valley Police. If persons or property are in danger then this should be done through calling '999', alternatively the '101' number should be used. Incidents that occur on licensed premises should be recorded and made available to Thames Valley Police and other agencies.
- 4.7 The police and the councils work in partnership to target those individuals who cause crime and disorder. Powers under the Anti-social Behaviour, Crime and Policing Act 2014 such as Criminal Behaviour Orders (S22), Community Protection Notices (S43), Public Spaces Protection Orders (S59) and Closure Orders (S76) and any replacement powers will be utilised to assist in the prevention of crime and disorder. Information about relevant orders against persons will be shared with premises. Licence holders are also expected to assist in preventing crime and disorder by notifying the police of any persons who breach orders relevant to their premises.

Closed Circuit Television (CCTV)

- 4.8 CCTV has a key role to play in stopping and deterring crime and anti-social behaviour in town centres and is also used as an evidence and detection tool. Applicants are expected to consider the installation of CCTV covering both inside and outside of the premises and if they do not believe it to be appropriate, to detail why this is the case in their application.

4.9 Surveillance cameras should only be used if necessary and proportionate, in addition:

- when considering the use of CCTV systems, either as part of the conditions attached to a licence or certificate, or within an operating schedule the Licensing Authority or applicant must in particular have regard to Code of Practice on CCTV published by the Information Commissioner's Office.
- the Licensing Authorities support the use of CCTV systems in premises. Where a licence or certificate is granted subject to the installation of a CCTV system, it is the responsibility of the licensee to comply with any data protection considerations that may arise from the use of such a system.
- the public must have confidence that surveillance is necessary and proportionate, and that those who operate the camera systems, or use the images and information they capture, demonstrate integrity in doing so and can be held to account.
- Recordings should be retained for a minimum of 31 days and staff must be trained to operate the CCTV equipment and able to provide recordings within 24 hours to any of the responsible authorities on request.

Consumption of alcohol

- 4.10 The Licensing Authority expects all licence holders to take steps to control excessive consumption and drunkenness in licensed premises. This will reduce the risk of anti-social behaviour and violent crime occurring both on and away from the premises after customers have departed. Premises licence holders are expected to be able to demonstrate a general duty of care to customers using their premises and others affected by their activities, and this is supported by responsible retail sales of alcohol and appropriate staff training.
- 4.11 Premises should complete a specific risk assessment in respect of any alcohol promotions and should follow any industry codes of practice such as the Portman Group Code of Practice of the Naming, Packaging and Promotion of Alcoholic Drinks. Promotions that encourage irresponsible consumption of alcohol should be avoided, including drinking games, as these would likely breach the relevant mandatory licence conditions and pose a risk to public safety. Consideration should be given to the promotion of smaller measures.

Door supervisors/stewards

- 4.12 Any person engaged at licensed premises to carry out security activities including the prevention of access to, or the physical ejection of, a person from the same premises on behalf of the licensee must hold and display a valid current licence issued by the Security Industry Authority (SIA) or any successor system.
- 4.13 The Licensing Authority will consider representations that indicate that specific premises require door supervision for the purpose of meeting the crime and disorder or public safety licensing objectives. In such cases, the Licensing Authority may impose a condition that an agreed number or ratio of licensed door supervisors must be present at the premises either at all times, or at such times as certain licensable activities are taking place.

- 4.14 In certain circumstances it may be appropriate to use trained stewards to provide a satisfactory level of customer care and safety awareness. These individuals must not carry out security activities, and would not be required to hold an SIA licence. If they were employed to undertake duties involving children then the applicant must consider whether such individuals should undergo a Disclosure and Barring Service check.
- 4.15 The applicant may find it beneficial in developing the operating schedule for a premises licence or certificate to have undertaken a security risk assessment in order to determine the resources necessary to meet the licensing objectives. The application should state if they propose the use of registered door supervisors which is supported by the completion of a risk assessment. Where it is felt that registered door supervisors are not required, the reasons for this should be provided in the application and again supported by the completed risk assessment.

Dispersal policy

- 4.16 Licensed premises should consider implementing a dispersal policy, working in partnership with other venues within the vicinity through mechanisms such as Pubwatch. Applicants should consider how the venue will minimise the potential for disorder and disturbance as customers leave the premises, including any ejections. Any policy should be reviewed regularly and staff should be trained in its implementation.
- 4.17 Premises must make provision to ensure that premises users safely leave their premises. Measures that may assist include:
- Providing information on the premises of local taxi companies who can provide safe transportation home;
 - Adequate lighting outside the premises, in car parks and on paths leading to and from the premises.

Illegal drugs

- 4.18 The Licensing Authority recognises that the supply and use of illegal drugs by individuals is not relevant to all licensed premises but it is recognised that conditions may need to be attached to the premises licences if problems arise. The aim will be to reduce the availability, sale, and consumption of illegal drugs and to create a safer environment for those who may have taken them. Any conditions will take into account the relevant guidance and advice from appropriate bodies.
- 4.19 The Licensing Authority expects all premises to fully co-operate with the police including drug swabbing and permitting the access and use of drug dogs within the public and staff areas of the premises. It may also be appropriate to have procedures in place such as regular toilet checks and staff training to recognise the signs of drug taking on a premises.

Other matters relating to crime and disorder

4.20 The following should also be considered:

- Measures to prevent the bringing of offensive weapons onto the premises
- Illegal (illicit, counterfeit or non-duty paid) tobacco or alcohol
- Use of toughened glass or plastic (consideration should be given to the use of plastic drinking receptacles in outside areas that are situated in town centres).
- Access and last entry
- Issues relating to staff and their right to work in the UK
- No external advertising of alcohol outside the premises or in the windows

5. Public Safety

- 5.1 The public safety objective is concerned with the physical safety of anyone using or adjacent to licensed premises. Applicants should carefully consider how they intend to promote the public safety objective in their operating schedule.
- 5.2 Where applicants consider that the public safety objective could be compromised by their intended activities, they are encouraged to contact the relevant council's Food and Safety team and/or the fire authority as the most relevant responsible authorities for guidance. Other organisations such as the Safety Advisory Group (SAG) will be able to offer advice. Contact details for these authorities/groups are available from the Licensing Authority.
- 5.3 The councils are core members of the South and Vale Nightsafe scheme, which seeks to promote public safety in the night-time economy through partnership working with licensed premises and responsible authorities.
- 5.4 Applicants may wish to consider the following within their operating schedule with a view to the safety of persons attending the premises.

Alcohol harm reduction

- 5.5 Communities, agencies and businesses are best placed to identify and deal with alcohol-related problems in their area. It is important to maximise the benefits of partnership working, focusing and co-ordinating the efforts of local agencies, industry and the voluntary sector in tackling alcohol-related problems. Budgets and expertise can be pooled, providing the right services at the right time, making town centres safer and in doing so encourage more people to enjoy a night out, thus promoting economic growth.
- 5.6 Information is a powerful tool in tackling alcohol-related problems. It is vital to strengthen data sharing within local partnerships, in particular between crime and health agencies and licensing authorities. Applicants should refer to the Local Alcohol Profile on the council's website.
- 5.7 The Licensing Authority will continue to work alongside their partners on a countywide and local level. The licensing team will work pro-actively with the Community Safety Partnership and Thames Valley Police and will support local

initiatives to tackle alcohol misuse such as Pubwatch, Nightsafe and Community Alcohol Partnerships.

- 5.8 Alcohol related harm costs UK an estimated £21 billion per year, of which £11 billion is related to crime, £3 billion is related to NHS and £7 billion is related to lost productivity, sickness or unemployment. Alcohol is recognised as a causal factor for more than 60 diseases and a greater risk for mortality. Excessive alcohol consumption is a major cause of preventable premature death. Higher risk of alcohol misuse is seen in populations with severe disadvantage, especially those with poor mental health, offenders and the homeless. It is also seen in higher proportion in areas of deprivation and increases health inequality. The impact of harmful drinking and alcohol dependence is much greater for those in the lowest income bracket and those experiencing the highest levels of deprivation¹.
- 5.9 According to the 2019 Index of Multiple Deprivation (IMD), though overall South Oxfordshire is relatively less deprived, parts of Berinsfield and Didcot West are amongst the 40% most deprived areas nationally. In Vale of White Horse, one small part (lower layer super output area or 'LSOA') of Abingdon, Caldecott, is among the 20% most deprived neighbourhoods nationally. A small area in Faringdon is within the 50% most deprived LSOAs nationally. For further information, maps of deprivation ranked nationally and within each district are available at <http://insight.oxfordshire.gov.uk/cms/jsna-district-summaries-2020>
- 5.10 The Oxfordshire Drug and Alcohol Partnership Strategy (2020-2024)² brings together partners, including the Licensing Authority and Responsible Authorities to work together to reduce the harm caused to individuals and to society by misuse of alcohol and drugs.

Safeguarding

- 5.11 It is important that licence holders are aware of their responsibilities relating to safeguarding. Individuals may be vulnerable for a number of reasons such as their age, mental health or intoxication. Premises should have a safeguarding/welfare policy, appropriate to the type of venue or event, available at the request of Licensing Authority or any other responsible authority. This should cover matters such as proof of age checks, spotting signs of abuse or vulnerability, random toilet checks, how to challenge and report where there are concerns, provision of water and phone charging facilities, first aid and welfare support. This may also link with any dispersal and ejections policy. Staff should be trained so they are clear of the expectations of them in respect of safeguarding and wellbeing.
- 5.12 In addition it may be worth considering having a dedicated safe space for vulnerable customers, with at least two members of staff present and ideally covered by CCTV.

¹ <https://www.gov.uk/government/publications/health-matters-harmful-drinking-and-alcohol-dependence/health-matters-harmful-drinking-and-alcohol-dependence>

² <https://mycouncil.oxfordshire.gov.uk/documents/s52833/Item%2010%20-%20ODA%20partnership%20strategy%20FINAL%20DRAFT%20HIB%20Sept%202020.pdf>

- 5.13 Some areas have community support schemes, where trained volunteers patrol the night time economy and take care of vulnerable people that they encounter. Applicants should find out if there are any such schemes operating in their area and make contact with them to encourage regular engagement.

Public Health

- 5.14 The inclusion of the Local Director of Public Health as a responsible authority under the Act enables Public Health to have a say in alcohol licensing. Public Health may have access to information that is unavailable to other responsible authorities, which help the licensing authority exercise its functions.
- 5.15 The role of the Director of Public Health is to help promote the health and wellbeing of the local populations they serve. This wide remit influences a wide range of circumstances, including local licensing arrangements. The licensing regime is concerned with the promotion of the licensing objectives which collectively seeks to protect the quality of life for those who live and work in the vicinity of licensed premises and those who socialise in licensed premises.
- 5.16 The Director of Public Health could make or support representations as well as make observations on licensing applications. The focus on the wellbeing of the wider community via licensing is an important addition to the role of public health in promoting the wellbeing of their localities.

Occupancy limits

- 5.17 It is recommended that the applicant or operating company assess and set occupancy limits following a risk assessment of the planned activities being carried out at the premises, having regard to other relevant legislation such as the Regulatory Reform (Fire Safety) Order 2005.
- 5.18 The Licensing Authority may set an occupant capacity following representations received if it is appropriate and proportionate to do so in order to meet the licensing objectives.

Health and Safety

- 5.19 Where five or more people are employed, the Health and Safety at Work etc Act 1974 requires there to be a written health and safety policy statement which must be brought to the employees' attention. Employers must also record the results of risk assessments and ensure a robust health and safety action plan is in place for both staff and customers. Applicants should have these documents available at the request of the Licensing Authority or any other responsible authority.

Other matters relating to public safety

- 5.20 The following should also be considered:
- Disabled access and evacuation
 - Emergency procedures
 - Special risks such as lasers or fireworks

6. Prevention of public nuisance

- 6.1 Public nuisance is a broad concept, which concerns how the activity of one person (or business) affects the amenity of other persons living and working in the area of the licensed premises, for example, how noise from playing music interferes with another person's right to sleep, or adverse impacts from light or odour.
- 6.2 The Act requires, and the Licensing Authority expects, applicants to demonstrate within their operating schedule how they intend to prevent public nuisance arising. This will be of particular importance where there are residential properties in the vicinity of the licensed premises.
- 6.3 When appropriate on application or review the Licensing Authority will consider the adequacy of proposed measures to remove or effectively manage the potential for public nuisance, anti-social behaviour and other crime which may impact on the promotion of the licensing objectives.
- 6.4 When an operating schedule does not sufficiently address the prevention of public nuisance the Licensing Authority will consider all reasonable conditions suggested by responsible authorities in any relevant representation to prevent public nuisance. In some locations it may be appropriate and proportionate to limit opening hours, the times of licensable activities or the types of licensable activities taking place.
- 6.5 Where considerations apply to late night refreshment premises, they shall only be taken to apply to their operation between the hours when a premises licence would be required.
- 6.6 Applicants should carefully consider how they intend to promote the prevention of public nuisance objective in their operating schedule. This can include several considerations:

Odour

- 6.7 The applicant should consider any odour that maybe emitted from the premises. This can include the generation of odour from food preparation, waste, bottle storage and/or from smoking areas. Steps should be taken or proposed to be taken by the applicant to prevent odour from the premises causing nuisance. The applicant may need to get advice from specialist air handling engineers about controlling odour from kitchen air extraction systems.
- 6.8 When designating a smoking area outside it is important to consider who will be affected by the smoke, the possible number of persons using the area and ensuring a facility to safely dispose of lit cigarettes.
- 6.9 Applicants should also consider the use of such areas in cold or wet weather and how this will affect users of smoking areas. Applicants may also wish to consider taking steps towards supporting the proposed Oxfordshire Smokefree Policy.

Waste and cleansing

- 6.10 Licensed premises of all types can potentially cause public nuisance from litter and waste. The Environmental Protection Act 1990 and the Clean Neighbourhoods and Environment Act 2005 impose responsibilities relating to proper waste collection and disposal, not least of which is the 'duty of care' to ensure any waste is properly contained and controlled while in the operator's possession, and that it is collected by a licensed waste carrier. The Act does not duplicate these laws, but licence holders will need to apply good waste management practice in order to prevent public nuisance.

Noise

- 6.11 Noise can come either directly or indirectly from licensed premises. Direct noise, such as that from entertainment activity, will be under the premises' direct control. Indirect noise, such as that from vehicles and customers coming to and from the premises may not be under direct control, but the premises can strongly influence it. Both types of noise will be of more significance in areas with residential accommodation and will usually, but not exclusively, be of greater importance between 11pm and 7am. However it must be noted that noise and disturbance can also cause public nuisance outside these times. The operating schedule should identify the control measures that will be taken to minimise the impact of both types of noise on neighbouring residents and businesses.

Use of outside areas

- 6.12 It must be noted that there is no legal requirement for licensed premises to provide an outdoor smoking area. However, premises are encouraged to do so to minimise congestion on pavements.
- 6.13 Noise and disturbance from people outside can cause public nuisance even when those people are not behaving badly. The operating schedule should identify the control measures that will be taken to minimise the impact of use of outside areas. This may include noise and disturbance from customers on the premises and customers in outdoor areas such as terraces, beer gardens and smoking areas. It will also include noise, disturbance and obstruction from customers in the vicinity of the premises including customers congregating outside premises to smoke or drink, customers arriving, leaving or queuing outside premises.

Small music festivals and outdoor events

- 6.14 Small, outdoor multiday music festivals operated under Temporary Event Notices (often where camping is also involved) can become a source of public nuisance. Organisers of such events are strongly advised to contact the Environmental Protection team at an early stage. Organisers are encouraged to employ event management techniques similar to larger scale events to avoid public nuisance, these can include considering the suitability of the location, the geography, limiting amplifier output, duration and direction.

Unregulated entertainment

- 6.15 Amendments to the Act have removed the requirement for licensing of a wide range of entertainment between the hours of 8am and 11pm. This does not reduce the risk of noise nuisance occurring. The risk increases when the entertainment takes place in the open air or within a marquee. Steps should be taken to prevent noise and vibration from entertainment causing nuisance. This may include noise from music, human voices and other forms of entertainment whether amplified or not. Consideration should also be given to ensure noise is not audible at sensitive locations such as dwellings, hospitals, hotels and other business premises. Any noise should also not cause unreasonable disturbance to the wider public, such as passers-by and people using public facilities. The Environmental Protection team are responsible for dealing with noise complaints arising from unregulated entertainment

Deliveries and Waste Collection

- 6.16 Steps should be taken to prevent noise from any servicing of the premises causing nuisance. This may include noise from deliveries, collections and the onsite disposal of bottles and other waste or recyclable materials.

Other matters relating to prevention of public nuisance

- 6.17 The following should also be considered:

- Light pollution
- Leaflets and fly posting

7. Protection of children from harm

- 7.1 For the purposes of this policy the Licensing Authority considers anyone under 18 years of age to be a child or young person.
- 7.2 The policy aims to work alongside the principles set out by the Oxfordshire Safeguarding Children Board at www.oscb.org.uk/.
- 7.3 The provisions of the Act are that unaccompanied children under 16 years should not be on 'premises being used exclusively or primarily for the supply of alcohol'.
- 7.4 The Licensing Authority expects that, whether or not alcohol is supplied or proposed to be supplied on or in the vicinity of the premises, operating schedules will identify:
- the extent to which it is proposed that children be admitted to the premises;
 - whether it is proposed that unaccompanied children will be admitted;
 - the type of regulated entertainment provided whilst children are present;
 - the specific steps undertaken to ensure the safety of children and to further ensure that no products or services are sold to children that are not appropriate for their use or consumption.
 - that staff are aware of their responsibility to ensure that an adult should not become over intoxicated if accompanied by a young person or child as to inhibit their ability to safeguard that young person.

- 7.5 Whether or not premises with a mixed use are ‘exclusively or primarily used’ is a matter of judgment and will depend upon the particular circumstances of the case. The guidance makes it clear that this does not mean that where the supply of alcohol is not the exclusive or primary use then young people should automatically be given access.
- 7.6 Applicants, who propose to admit children, particularly where they would not require them to be accompanied by a responsible adult, should be especially careful in ensuring they meet the requirement that their operating schedule fully and clearly sets out the nature of the activities for which permission is sought. Further, the operating schedule should specify the measures and management controls proposed to protect children from harm.
- 7.7 The Licensing Authority expects that staff are trained and aware of their responsibility for ensuring that customers are old enough to purchase alcohol. This requirement is particularly relevant for bar staff working at premises where door supervisors control entry to a premise. Particular care and appropriate measures should be in place for venues that, due to the nature of the events, attract both over and under 18 year old patrons.

Age verification and refusals log

- 7.8 There is a mandatory condition on all premises licensed to sell alcohol requiring them to have adequate age verification systems in place. The Licensing Authority would recommend the use of a Challenge 25 scheme i.e. ‘challenging anyone who looks under 25 to prove their age by use of an approved means of identification’; such a scheme to be advertised and enforced on the premises.
- 7.9 Licensees must demonstrate that their staff receive regular and adequate training on the law and practice relating to age restricted sales (including challenging purchasers and checking identification). The training provided to members of staff to prevent the sale of alcohol to underage people must be properly documented in the training log so that there is an adequate audit trail. Records must be available for inspection.
- 7.10 The following are examples of identification used:
- Passport
 - Photo-card driving licence
 - PASS card or other nationally accredited photo ID document
 - Official identity card issued by HM forces
- 7.11 Additionally, when a retailer refuses the sale of alcohol this should be recorded in a ‘refusals log’. These documents must be kept available for inspection by a police officer or authorised officer of the Licensing Authority.

Proxy sales

- 7.12 Adequate procedures must be in place to ensure that all members of staff working at the premises are routinely trained and regularly reminded of their responsibilities in relation to the issue of proxy sales of alcohol, and shall

ensure that all reasonable steps and procedures are in place and implemented to prevent adults purchasing alcohol for those underage.

- 7.13 Steps must be in place to ensure that any designated premises supervisors and members of staff involved with the delivery of alcohol to residential addresses are made fully aware of their responsibilities to ensure that no alcohol is sold or delivered to persons under the age of 18.

Film classification

- 7.14 The Licensing Authority will expect licensees or clubs to include in their operating schedules their arrangements for restricting children from viewing age restricted films according to the recommendations of the British Board of Film Classification (BBFC) or the Licensing Authority itself.
- 7.15 In the event that the Licensing Authority is asked to stipulate an age category for a film or video that has not been classified by the BBFC, the licensing panel or its delegated officers may view the film or video and use the BBFC published guidelines on classification as a 'bench mark' in reaching their decision.
- 7.16 All requests for a classification must be accompanied by a synopsis of the film and a full copy of the film in DVD or other appropriate format, and submitted at least 28 days before the proposed screening. Failure to submit a request in time may result in the Licensing Authority being unable to classify the film. Requests shall be assessed against the BBFC guidelines and the licensing objectives and a fee may be charged to cover the costs associated with this process.
- 7.17 In considering any application, the Licensing Authority will take into account any evidence that age restrictions for exhibitions of film are not being properly observed.

Child exploitation

- 7.18 The Licensing Authority expects licence holders and applicants for new licences to be aware of the possibility of exploitation including child sexual exploitation and child criminal exploitation taking place in or around licensed premises. Licence holders are expected to adopt suitable protective measures to assist in the detection and reporting of incidents of this kind. These may include staff training and management procedures to include monitoring and reporting. Child sexual exploitation is a type of sexual abuse. When a child is exploited, they are given things like gifts, drugs, money and affection in exchange for performing sexual activities. Child criminal exploitation is child abuse where children are manipulated and coerced into committing crimes, for example carrying drugs for gangs.
- 7.19 Premises licence holders and designated premises supervisors have a legal responsibility to ensure that children and young people are protected from harm at their premises. The guidance issued under Section 182 of the Licensing Act requires that children must be protected from 'moral, psychological and physical harm, which not only includes protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure of certain films or adult entertainment).' It is important that the risk of child exploitation is

managed at premises to both protect children and young people from harm as well as to protect the business, particularly financial and reputational risk if legal action is taken against the premises, which could result in suspension or revocation of the licence.

7.20 To minimise the risk to children and young people, premises need to have preventative systems in place. Below are some suggested safeguarding measures:

- Undertake a written children and young person's risk assessment and use it to inform or complement your staff training and operation of the premises
- Staff should be trained to recognise indicators of child sexual exploitation and know how to report concerns, with records maintained of this training
- Activities at the premises should be monitored (by using CCTV or by regular patrols). If patrols are carried out, a record should be kept of who made the patrol, where they patrolled and the times and dates it was carried out
- Suspicious activities should be reported to the police, including details of vehicle registration numbers and description of any individuals involved and all incidents of this nature should be recorded in the premises incident log.
- If the designated premises supervisor, licence holder or staff are in a situation involving the supervision of a vulnerable person at the premises, it is important to follow a consistent and auditable protocol.

Other matters relating to protection of children from harm

7.21 The following should also be considered:

- Performances by children
- Alcohol delivery services

8. Representations

8.1 The Licensing Authority will consider any relevant representations received from responsible authorities or any other persons. Individuals or groups may request a representative to make representations on his or her behalf. This could be a legal representative, a friend, an MP or a Ward Councillor.

8.2 The Licensing Authority itself is able to make representations, for example to ensure appropriate and proportionate conditions are included on a licence where the operating schedule is not clear. If the Licensing Authority makes a representation there shall be a separation of responsibilities between the officer exercising that role and those who are administering the application to ensure procedural fairness and eliminate conflicts of interest.

8.3 For a representation to be relevant it must:

- (a) relate to the likely effect of the grant of the application on the promotion of the licensing objectives;

- (b) not be 'frivolous or vexatious', and
- (c) in the case of a review, must not be 'repetitious' if the representation is from a person other than a responsible authority, and
- (d) if it concerns the designated premises supervisor, be made by a chief officer of police and include a statement explaining the reasons for the objection.

Representations can include positive/supportive representations as well as objections.

- 8.4 The Licensing Authority is responsible for considering representations in the context of this policy and legal requirements in order to determine whether they are relevant. The Licensing Authority authorises suitably qualified staff to discharge duties as appropriate to their seniority, professional qualification and/or experience.
- 8.5 Where a representation is received, the Licensing Authority will need to consider if it is frivolous or vexatious. The Licensing Authority may also consider the representation to be 'irrelevant' if it does not directly relate to the application and its likely impact on the promotion of the licensing objectives. If the decision is made that a representation is frivolous, vexatious, and/or irrelevant, the person making the representation will be informed of this in writing with full reasons being given for the decision.

9. Determination of Applications

- 9.1 The Licensing Acts Committee, panel, or licensing officers acting under delegated authority, may carry out the powers of the Licensing Authority under the Act, in accordance with the scheme of delegation set by the Licensing Acts Committee under S. 10 (1) of the Act. The Licensing Authority ensures that all officers and councillors who deal with applications have received adequate training for their role under the Act.
- 9.2 Where no relevant representations are received, the licence will be issued automatically with such conditions that are mandatory and those arising from the operating schedule which have been translated into clear and enforceable conditions using our pool of model conditions where appropriate. The Licensing Authority has no discretion in such circumstances to refuse the application or to alter or add to the conditions offered through the operating schedule.
- 9.3 One of the major principles underlying the Act is that the licensing functions contained within the Act should be delegated to an appropriate level so as to ensure efficient and cost effective service delivery.
- 9.4 In the absence of any relevant representations applications will be determined at officer level. A licensing panel deals with applications where there are relevant representations and in every case where there is a review of a premises licence or club premises certificate.
- 9.5 Whilst contested licensing hearings are structured in nature, the licensing panel will try to keep the proceedings as informal as possible. However, some degree

of formality is needed to ensure that all parties receive a fair hearing. The procedures are designed to ensure that all parties are able to express their views openly and fairly. The procedure is inquisitorial rather than adversarial and, whilst applicants, individuals and businesses who may be affected, and responsible authorities are entitled to bring legal or other representation with them if they wish, this is not a requirement.

- 9.6 Whilst the licensing panel usually meets in public, it does have power to hear certain applications in private and to receive legal advice similarly. A decision is made publicly when the matter has been determined.
- 9.7 The licensing panel will determine each case on its individual merits whilst having regard to the legislation, the Secretary of State's guidance and this policy. Where the licensing panel determines that it is appropriate and proportionate to attach conditions to a licence or certificate it will ensure that those conditions are focused on the direct impact of the activities taking place at the premises concerned. Such conditions will be proportionate to the activity to be controlled and will only be imposed in the interests of promoting the licensing objectives.
- 9.8 A decision of the Licensing Authority can be the subject of an appeal at the magistrates' court. As a consequence the Licensing Authority will record full reasons for any decision(s) made. The refusal of an application does not prevent a further application being made, but the Licensing Authority would expect the applicant to carefully consider the issues of concern before doing so.

10. Temporary Event Notices

- 10.1 Temporary event notices (TENs) may be used to authorise licensable activities at premises where there are 499 persons or fewer (including any staff and volunteers) present. TENs are not applications for permission to hold an event; they are notices of intention to hold an event. If there are 500 or more persons present at the event, a premises licence will be required.
- 10.2 Organisers of temporary events are encouraged to submit their TEN as soon as is reasonably practicable in order for the Police and Environmental Protection to consider whether or not they have any concerns about the event and, if they have, to enable all parties to try and take steps to resolve those concerns. Persons intending to use premises under a TEN are encouraged to discuss their proposals with the community that may be affected before submission.
- 10.3 Although the legal requirement is 10 clear working days (or 5 clear working days for late TENs) not including the date of receipt or the date of the event, the Licensing Authority recommends that at least one month's notice be given to hold such events, to allow sufficient time for organisers to plan their events safely, for appropriate publicity and for consultation with responsible authorities and interested parties. Any longer period than this may mean that organisers do not have all the details available at the time of submitting the notice, and any lesser time means that planning may be rushed and haphazard.

- 10.4 In the event of an objection, if the matter cannot be resolved informally the matter will be considered by a licensing panel. Objection notices received for late TENs mean that the event cannot go ahead.

11. Large scale events

- 11.1 These are events that are temporary but more than 499 people are expected to attend. Much larger crowds may be attracted to large-scale events and the risk to public safety and to crime and disorder, as well as public nuisance, may be considerable. The Licensing Authority and all other statutory consultees, should be given at the earliest opportunity, notice of such major events to discuss operating schedules with the organiser, prior to a formal application being submitted. It is the responsibility of the event organiser/applicant to provide the Licensing Authority and all other statutory consultees, at the earliest opportunity, notice of such major events. This will enable discussion about operating schedules prior to a formal application being submitted.
- 11.2 The Licensing Authority strongly advises that they are given at least six months' notice to allow for a sufficient lead in time. Failure to consult in sufficient time may result in an objection on the grounds that insufficient time has been allowed to properly assess and consult to ensure that, in particular, public safety is not undermined.
- 11.3 The councils have an established Safety Advisory Group (SAG) system. This includes relevant council officers, representatives of the emergency services and Oxfordshire County Council Highways and Public Health departments. The SAG's aim is to advise on safety at public events held throughout the districts. Since the focus is on the risks posed by larger events most events run under TEN will not require a SAG. The SAG does however reserve the right to consider events that are planned under a TEN if there is a risk to public safety. Event organisers are encouraged to make contact with the licensing team for advice at the earliest opportunity when planning their community events. Further information and the notification form for the SAG is available on the councils' websites.

12. Personal Licences

- 12.1 Personal licences authorise individuals to sell or supply alcohol, or authorise the sale or supply of alcohol for consumption on or off a premises at which a premises licence is in force for that activity.
- 12.2 The Licensing Authority must grant a personal licence if the applicant:
- is aged 18 years or over
 - is in possession of a relevant licensing qualification or is a person of a prescribed description
 - has not forfeited a personal licence in the previous five years, beginning with the day the application was made
 - has not been convicted of any relevant offence under Schedule 4 of the Act, a foreign offence or had to pay an immigration penalty
 - has paid the appropriate fee to the Licensing Authority.

- 12.3 Personal licence applicants with relevant unspent criminal convictions or who have had to pay an immigration penalty are required to notify the Licensing Authority of the nature of those convictions at the time of application. Applicants with unspent criminal convictions for relevant offences or who have had to pay an immigration penalty at set out in the Act are encouraged to discuss their intended application with the Police, Home Office Immigration Enforcement and Licensing Authority before making an application. The Licensing Authority and Police may arrange a joint interview with a prospective personal licence holder(s) to discuss the circumstances surrounding their conviction(s).
- 12.4 Where the Police or Home Office Immigration Enforcement believe that the grant of a personal licence would undermine the crime prevention objective, they will issue an objection notice. The Licensing Authority will arrange for a hearing to take place at which the application will be determined. The application will be refused if the Licensing Authority considers it appropriate for the crime prevention objective to do so.
- 12.5 Where a personal licence holder is convicted of a relevant offence or has had to pay an immigration penalty during the period when their application is being considered or after the licence has been granted, the licence holder is required to advise the Licensing Authority forthwith. It is an offence for a personal licence holder who is convicted of a relevant offence not to inform the issuing Licensing Authority in order that their licence can be amended. The personal licence holder must also notify the Court that they hold a personal licence. Where a licence holder is convicted of a relevant offence or has had to pay an immigration penalty during, the Licensing Authority may revoke the licence or suspend it for a period of up to six months under section 132A of the Act (as inserted by the Policing and Crime Act 2017).
- 12.6 Where an applicant's right to work in the UK is time-limited, their personal licence will become invalid when the immigration permission expires. If an immigration permission is revoked, the licence will automatically lapse.

13. Club Premises Certificates

- 13.1 In order for qualifying clubs to supply alcohol and provide other licensable activities at their premises, a club premises certificate is required. Qualifying conditions are specified in section 61 of the Act and the Licensing Authority must be satisfied that these conditions have been met, including evidence that the club is non-profit making.
- 13.2 The Act does not require any member or employee to hold a personal licence in order to supply alcohol to members or sell alcohol to guests on the premises to which the certificate relates, nor is there a requirement for the club to specify a designated premises supervisor. Where a club intends to admit the general public to an event where licensable activities will take place, then a premises licence or a TEN will be required.

14. Appeals

- 14.1 Anyone aggrieved by a decision of the Licensing Authority has a right of appeal as set out in schedule 5 of the Act. This appeal must be lodged with the appropriate Court within a period of 21 days from the date on which the applicant was notified by the Licensing Authority of the decision. The Licensing Authority will inform the appropriate parties of their right of appeal in accordance with the Act when confirming a decision of the licensing panel.

15. Management of Licensed Premises

- 15.1 A critical element of the proper control of licensable activity and a premises where such activity is provided is good management. Within all licensed premises, whether or not alcohol is to be sold, the Licensing Authority will expect there to be proper management arrangements in place which will ensure that there is an appropriate number of responsible, trained persons at the premises to ensure the proper management of the premises and of the activities taking place, as well as adherence to all statutory duties and the terms and conditions of the premises licence and the promotion of the licensing objectives.
- 15.2 The Licensing Authority will promote 'good practice' in relation to the operation of licensed premises. It will work closely with stakeholders so as to achieve ongoing improvements in standards over reasonable periods of time, in the belief that this is in the long term interests of owners, operators, employees, customers and local residents alike.
- 15.3 Any premises where alcohol is sold under a premises licence must have a designated premises supervisor (DPS) who must be a personal licence holder. The DPS will be named in the premises licence, a summary of which must be displayed on the premises. The only exception to this is where community premises have made an application to disapply the requirement for a DPS, in which case the management committee of the premises is responsible for the sales of alcohol.
- 15.4 The Licensing Authority will normally expect the DPS to have been given the day-to-day responsibility for running the premises and as such we would encourage the DPS to be present at the licensed premises on a regular basis. The licence holder will also be expected to ensure that the DPS has experience commensurate with the size, capacity, nature, location and style of the premises and licensable activities to be provided. Where the DPS is not available at the premises for whatever reason, the Licensing Authority will expect his or her full contact details to be available at the premises and made known to at least one individual who will be present at the premises.
- 15.5 The Act does not require a DPS or any other personal licence holder to be present on the premises at all times when alcohol is sold. However every sale of alcohol must be made or authorised by a person who holds a personal licence on the premises, or by the DPS under authority that has been delegated (or must be made or authorised by the management committee in the case of community premises). The Licensing Authority recommends that if the DPS

authorises persons to make sales of alcohol, that this is done in writing, that the document of authorisation is kept on the premises and that all staff are made aware of the location of the document. Where the DPS has delegated responsibility for the sale of alcohol, they still have a duty of responsibility for the action of those they have authorised to make those sales.

- 15.6 The Police are able to object to the designation of a new premises supervisor where in exceptional circumstances, they believe the appointment would undermine the crime prevention objective. The Act provides that the applicant may apply for the individual to take up the post of designated premises supervisor immediately, and in such cases the issue would be whether the individual should be removed. The licensing panel considering the matter must confine their consideration to the issue of crime and disorder. They will give comprehensive reasons for their decision and either party would be entitled to appeal if their argument is rejected.

16. Complaints, Enforcement and Inspections

- 16.1 In the first instance any complainants or concerns should be raised directly with the licensee or business concerned. Where that approach is either not viable or fails, complaints may be sent to the licensing team. Depending on the content of the complaint, it may be re-directed to another responsible authority or council department to deal with the matter.
- 16.2 Where any issues or need for improvement are identified at a premises, officers and responsible authorities will seek to work with the licence holder to address these concerns and to achieve a resolution through informal means wherever possible.
- 16.3 The Licensing Authority recognises that balancing the interests of owners, employees, customers and neighbours of pubs, clubs and off-licences will not always be straightforward, but it will always carry out its functions with a view to promoting the licensing objectives.
- 16.4 The Licensing Authority undertakes proactive risk-based inspections of all licensed premises to ensure continued promotion of the licensing objectives and compliance with licence conditions. Premises that consistently fail inspections may be subject to a licence review or other enforcement action. Where one-off events are taking place, the Licensing Authority may also carry out inspections to ensure promotion of the licensing objectives. Where appropriate, joint visits will take place encompassing a number of relevant agencies.
- 16.5 The Licensing Authority will work with the Police, Home Office Immigration Enforcement and other relevant statutory agencies. It expects the Police (subject to public interest immunity) to share relevant information about licensees and licensed premises under the Crime and Disorder Act 1998 and its common law powers, and to consult closely with the Licensing Authority when any enforcement action may be required. The same would apply for Home Office Immigration Enforcement for matters relating to immigration and right to work in the UK. The councils have a joint information sharing protocol

in place with the police and other statutory agencies. These protocols provide for the sharing of information between parties to allow agencies to fulfil their statutory duties.

- 16.6 The Nightsafe partnership allows the representatives of relevant organisations to meet to discuss licensing matters related to the four licensing objectives.
- 16.7 In terms of enforcement, the aim is to proactively identify those premises which are causing problems within the community, whilst supporting well managed premises and activities which provide opportunities for the enjoyment of leisure time without having a negative impact. This will ensure efficient and targeted action for specific problems and high risk premises that require greater attention, whilst allowing a lighter touch in respect of well run, low risk premises. This does not prevent action being taken by any individual authority at any time should offences become apparent.
- 16.8 In most cases, a graduated form of response is expected to resolving issues of non-compliance. Whilst an isolated or minor breach might be dealt with by way of a warning, more serious or persistent breaches of licensing conditions or matters of serious criminality are likely to lead to prosecution and/or a review of the licence.
- 16.9 Action is taken in accordance with agreed enforcement principles and in line with the enforcement policies of the Licensing Authority. The key principles of consistency, transparency and proportionality are acknowledged. Any government advice or requirement in relation to enforcement will be taken into account.
- 16.10 The Licensing Authority also recognises that there are other tools and powers at their, and their partner agencies', disposal, such as powers to close licensed premises if it is considered there has been or likely to soon be public nuisance or disorder. All powers are subject to change and amendments depending upon legislation currently enacted. More details can be made available on request to the Licensing Authority.
- 16.11 Other statutory requirements and opportunities for control, for example relating to planning, building regulations, fire safety, nuisance and health and safety, may apply to the provision of any regulated activities at a premises and the responsibility for compliance lies with the licence holder. Advice may be obtained from the appropriate enforcing authority or from the Licensing Authority's licensing officers.

17. Reviews of Premises Licences and Club Premises Certificates

- 17.1 At any stage following the grant of a premises licence or club premises certificate, a responsible authority or other person may ask the Licensing Authority to review the licence because of a problem arising at the premises in connection with one or more of the four licensing objectives. However this can be avoided by dealing with issues in an informal manner wherever possible, and that reviews will be a measure of last resort except in cases of serious criminality.

- 17.2 In every case, the application for review must be relevant to the promotion of the licensing objectives. A hearing will be held to determine the application unless all parties agree that a hearing is not necessary.
- 17.3 Where the request originates from any person other than a responsible authority (e.g. a local resident, residents' association, local business or trade association) the Licensing Authority must consider whether the request for review is vexatious, frivolous or repetitious. A Licensing Authority may refuse an application for a review on any of these grounds and will give reasons to the applicant for such a refusal.
- 17.4 Upon review of a premises licence, the Licensing Authority must, having regard to the application for review and any relevant representations, take such steps as it considers appropriate for the promotion of the licensing objectives. Such steps include the:
- modification of the conditions of the licence
 - exclusion of a licensable activity from the scope of the licence
 - removal of the designated premises supervisor
 - suspension of the licence for a period not exceeding three months
 - revocation of the licence.

18. Special licensing policies

Cumulative impact

- 18.1 The authority may publish a cumulative impact assessment ('CIA') if it is satisfied that there is an adverse impact on one or more of the licensing objectives as a result of a significant number of licensed premises being concentrated in a defined locality. The effect of this impact will be, for example, a spike in incidents of crime, disorder or nuisance over and above what can be attributed to the operation of the individual premises.
- 18.2 Section 5A of the Act sets out what a Licensing Authority needs to do in order to publish a CIA. The CIA must include a statement saying that the Licensing Authority considers that the number of premises licences and/or club premises certificates in one or more parts of the area described is such that it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives. As part of the publication a Licensing Authority must set out the evidential basis for its opinion.
- 18.3 Where a CIA is published, the Licensing Authority's discretion to consider the rejection of an application is only engaged upon the receipt of relevant representations. In the absence of such representations, the duty to grant a licence in the terms applied for remains unchanged. In cases where representations are received, it would be open to the Licensing Authority to grant an application where it considers it is appropriate and where the applicant can demonstrate in the operating schedule that they would not be adding to the cumulative impact.

- 18.4 In determining whether to publish a CIA for a particular area the Licensing Authority will:
- identify evidence of concerns about relating to a licensing objective;
 - consider whether the evidence demonstrates that a cumulative impact caused by the customers of multiple licensed premises is adversely affecting a licensing objective;
 - identify the precise area(s) where issues are occurring;
 - undertake a consultation as specified within the Act; and
 - include and publish details of any CIA within this policy.
- 18.5 Having considered the available evidence, the Licensing Authority considers that there is no particular part of either council area experiencing cumulative impact on the promotion of any of the licensing objectives, at the present time, which would warrant the publication of a CIA.
- 18.6 The Licensing Authority will continue to monitor for issues relating to cumulative impact, in conjunction with the responsible authorities and the Community Safety Partnership. Should evidence of a cumulative impact issue emerge during the validity of this policy, the Licensing Authority may look to publish a CIA by way of an interim revision.
- 18.7 The absence of a CIA does not prevent any responsible authority or other person making representations on an application for the grant or variation of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives. However, in each case it would be incumbent on the person making the representation to provide relevant evidence of cumulative impact.

Late night levy

- 18.8 Part 2 of the Police Reform and Social Responsibility Act 2011 introduced a new power for licensing authorities to establish a 'late night levy'. Licensed premises within the area of a Licensing Authority which has adopted such a requirement will be required to pay an additional annual fee if they are licensed to supply alcohol within a late night period set by the authority (generally between midnight and 6am, although shorter periods are permissible).
- 18.9 Where a levy requirement has been adopted, the Licensing Authority will be responsible for the collection of the appropriate amounts from licence-holders. After deduction of administration costs, not less than 70 per cent of the net proceeds of the levy must be paid by the Licensing Authority to the local police force, which may be used (but is not required to be) to offset the costs incurred in policing the night time economy arising from the alcohol supplies permitted from affected licensed premises. The remaining amount may only be applied on purposes prescribed in Regulations, namely arrangements connected with the late night supply of alcohol for one or more of the following functions:
- The reduction or prevention of crime and disorder
 - The promotion of public safety
 - The reduction or prevention of public nuisance

- The cleaning of any relevant highway or relevant land in its area.

18.10 At the time of writing, neither council has adopted the provisions of the 2011 Act relating to a late night levy, nor is it currently intended to do so.

Early Morning Alcohol Restriction Order (EMRO)

18.11 Following the introduction of the Police Reform and Social Responsibility Act 2011, if the Licensing Authority considers it necessary for the promotion of the licensing objectives they can make an early morning alcohol restriction order.

18.12 An order would mean that any premises licence, club premises certificate or temporary event notice that authorises the sale of alcohol within the location and during the period specified in the order would not have effect. The period specified must begin no earlier than midnight and end no later than 6am.

18.13 To promote the licensing objectives, a Licensing Authority may utilise powers under the Act to pass an early morning alcohol restriction order. Such an order would prohibit the sale of alcohol from any premises within an area defined in the order between specified times (which may extend from midnight until 6am) on specified days.

18.14 It is envisaged that this power will only be used in response to severe and recurring issues arising from the supply of alcohol in the night-time economy, such as high levels of alcohol-related crime and disorder in specific areas at specific times, which cannot be attributed to an individual premises. The Licensing Authority views this as a 'last resort' option, for use after other tools have been unsuccessful in remedying the issue.

18.15 At the present time, neither council has utilised the provisions of the Act to pass an early morning alcohol restriction order, and has no current plans to do so. Should this position change, full details will be published on our website and notified to all licensed premises that would be affected.

Late Night Refreshment Regulations

18.16 Following the introduction of the Licensing Act 2003 (Late Night Refreshment) Regulations 2015 the Licensing Authority may consider altering the requirement for licensing of late night refreshments based upon:

- location/area
- type of premises (from a prescribed list)
- hours of operation

Contacts

- 19.1 Further advice and guidance can be obtained from the licensing team and on the licensing pages of the relevant council's website.

<p>Licensing Team Vale of White Horse District Council 135 Eastern Avenue Milton Park Abingdon OX14 4SB Tel: 01235 422556 Email: licensing.unit@whitehorsedc.gov.uk</p> <p>Website: www.whitehorsedc.gov.uk/alcohol-and-entertainment-licences/</p>	<p>Licensing Team South Oxfordshire District Council 135 Eastern Avenue Milton Park Abingdon OX14 4SB Tel: 01235 422556 Email: licensing@southoxon.gov.uk</p> <p>Website: www.southoxon.gov.uk/alcohol-and-entertainment-licences/</p>
--	--

- 19.2 Government information on the Licensing Act 2003 and other relevant legislation is available at www.gov.uk.

Glossary

Term	Description
area	The area of the district of Vale of White Horse, and/or the area of the district of South Oxfordshire.
<p>authorised person</p> <p><i>(Authorised Persons have roles in enforcement of the 2003 Act)</i></p> <p><i>(Police officers are not listed as authorised persons, as they already have powers of enforcement under other legislation)</i></p>	<p>A person prescribed under S.13 (2) of the Licensing Act 2003 for licensed premises or S. 69(2) of the Licensing Act 2003 for club premises.</p> <p>Any of the following –</p> <ul style="list-style-type: none"> an officer of the Licensing Authority, authorised for the purposes of the 2003 Act; an inspector appointed under Article 26 of the Regulatory Reform (Fire Safety) Order 2005; an inspector appointed under S.19 of the Health and Safety at Work etc. Act 1974; an officer of the council authorised to exercise statutory environmental health functions; <p>(in relation to a vessel, an inspector, or surveyor of ships, appointed under s256 of the Merchant Shipping Act 1995)</p>
Chief Officer of Police	Chief Constable of Thames Valley Police
child	Any person who is under the age of 18 years.
Community Safety Partnership	<p>A partnership comprising representatives from a number of agencies including the police and other statutory authorities with the aim of addressing crime and protecting vulnerable people. The current South and Vale Community Safety Plan is available on the councils' websites at www.southoxon.gov.uk/south-and-vale-community-safety-partnership/ and www.whitehorsedc.gov.uk/south-and-vale-community-safety-partnership/</p>
club premises certificate	A certificate authorising the supply of alcohol to members of a qualifying club, the sale of alcohol to guests on the premises and the provision of regulated entertainment without the need for any member or employee to hold a personal licence.
council	<p>Vale of White Horse District Council in its capacity as a district authority in respect of the area of Vale of White Horse, and/or</p> <p>South Oxfordshire District Council in its capacity as a district authority in respect of the area of South Oxfordshire.</p>

cumulative impact	The potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.
designated premises supervisor	The holder of a personal licence who is identified by the licence holder as having day-to-day responsibility for the management of a licensed premises.
Disclosure and Barring Service	Issues various levels of checks of criminal records and can advise whether an individual is on a list which bars them from engaging in regulated activity such as working with children or vulnerable adults.
early morning alcohol restriction order (EMRO)	An order preventing licensed premises from selling alcohol in the early hours of the morning to promote the licensing objectives. Can only be implemented after public consultation.
fire authority	The Fire and Rescue Service of Oxfordshire County Council
late night levy	Additional fees payable by premises opening past midnight.
late night refreshment	The supply of hot food and drink between the hours of 23.00 and 05.00 for consumption on or off the premises.
licensable activities	<ul style="list-style-type: none"> • The sale of alcohol by retail • The supply of alcohol by or on behalf of a club to, or to the order of, a member of a club • The provision of regulated entertainment • The provision of late night refreshment
licensing objectives	<ul style="list-style-type: none"> • Prevention of Crime and Disorder • Public Safety • Prevention of Public Nuisance • Protection of Children from Harm
Licensing Acts Committee	The committee of elected councillors of the Vale of White Horse District Council that is responsible for the council's licensing functions in the area of Vale of White Horse and/or the committee of elected councillors of South Oxfordshire District Council that is responsible for the council's licensing functions in the area of South Oxfordshire.
Licensing Authority	The Vale of White Horse District Council in its capacity as a Licensing Authority in respect of the area of the district of Vale of White Horse, and/or South Oxfordshire District Council in its capacity as a Licensing Authority in respect of the area of the district of South Oxfordshire.
licensing panel	Three members of the Licensing Acts Committee who sit as a sub-committee for hearings under the Licensing Act

navigation authority For rivers – For canals –	The Environment Agency The British Waterways Board
Nightsafe	A strategic group made up of members of the Community Safety Partnership and the Licensing Team to promote public safety in licensed premises
operating schedule	A prescribed form under the S. 17 (4) of the Licensing Act 2003 detailing: <ul style="list-style-type: none"> • the relevant licensable activities, • the times during which it is proposed licensable activities are to take place, • times during which the premises are to be open to the public, • where the applicant wishes the licence to have effect for a limited period, that period, • where the relevant licensable activities include the supply of alcohol, prescribed information about the designated premises supervisor, • where the relevant licensable activities include the supply of alcohol, whether the supplies are for consumption on or off the premises, or both, the steps which it is proposed to take to promote the licensing objectives, such other matters as may be prescribed.
personal licence	This authorises individuals to sell or supply alcohol or authorise the sale or supply of alcohol for consumption on or off the premises for which a premises licence is in force for the carrying on of that activity.
planning authority	Either council in its capacity as a local planning authority for the respective area.
Police	Thames Valley Police
premises licence	A licence in respect of any premises, including land or buildings under public ownership within the community that are to be used for one or more licensable activities. Valid for an indefinite period unless revoked or surrendered.
Pubwatch	A group of licence-holders in a particular locality who work co-operatively to exclude individuals who cause problems in their premises.
qualifying clubs	Where members have joined together for particular social, sporting or political purposes and then combine to buy alcohol in bulk as members. Examples of qualifying clubs are political clubs, the Royal British Legion, working men's clubs, and social and sports clubs. A qualifying club can obtain a premises licence if it wishes to offer its facilities commercially for use by the general public.

regulated entertainment	Entertainment as defined in Schedule 1 to the Licensing Act 2003
relevant offences	As set out in Schedule 4 to the Licensing Act 2003.
relevant representations	Comments made by any other persons or responsible authority that address the licensing objectives. Relevant representations cannot be irrelevant, frivolous, vexatious, or repetitive.
responsible authority	<p>May make relevant representations about applications and may request reviews, currently the following:</p> <p>Any of the following:</p> <ul style="list-style-type: none"> • The Chief Officer of Police • The Fire Authority • The enforcing authority under s18 of the Health and Safety at Work etc. Act 1974 • The Weights and Measures Authority • The Planning Authority • Environmental Health • Public Health • The body responsible for matters relating to the Protection of Children from Harm - at the date of publication, the health and social care department of Oxfordshire County Council, which the authority recognises as competent to advise on matters of child protection; • the Licensing Authority • any other Licensing Authority in whose area part of the premises is situated; • in relation to a vessel – the navigation authority.
Safety Advisory Group	An advisory body whose purpose is to offer advice and guidance on event organisation.
Secretary of State's Guidance	The current guidance issued by the Secretary of State under section 182 of the 2003 Act.
SIA	Security Industry Authority.
statement of licensing policy	The final version of this policy, as adopted by both councils.
temporary event notice	A notice of intention to carry on of the sale of alcohol, provision of regulated entertainment or late night refreshment at a premises not otherwise authorised by a premises licence or club premises certificate.

Note: the singular includes a reference to the plural and vice versa

Appendix A – Promotional materials for licensed premises



MODERN SLAVERY

MODERN SLAVERY: A BRIEFING FOR THE HOSPITALITY INDUSTRY (HOTELS, RESTAURANTS)

Modern slavery can take many forms including the trafficking of people¹, forced labour, servitude and slavery. Recent statistics show that 47% of all potential victims who cite the UK as the location of exploitation, were trafficked into forced labour.² Traffickers and unscrupulous recruitment agencies target a range of industries including those involved in hospitality.

HOW YOUR INDUSTRY IS AFFECTED

With the hospitality sector directly employing over 3 million people and contributing over £70 billion to the UK economy, traffickers and organised criminals are looking for opportunities to exploit the industry.³

In 2016, 3 potential victims of forced labour referred to services came from the restaurant or bar sector, although none noted the UK as the location of exploitation. 35% of all potential victims who cited the UK as the location of exploitation were trafficked for sexual exploitation. While the numbers coming to light are small, the hidden nature of this crime means actual numbers are likely to be much higher.⁴

The vast majority of employers will be recruiting people legitimately, but some firms could find themselves targeted by unscrupulous agencies or individuals.

MAKE-UP OF MODERN SLAVERY VICTIMS IN THE HOSPITALITY INDUSTRY

Anyone can become a victim of modern slavery. However, victims of this crime in the hospitality sector are often Eastern European men and women who are promised a job in the UK and then forced by traffickers to work for little or no money. Through threat, violence or coercion they may be forced to live in squalid accommodation and have their identity documents taken from them.

Help free the UK from Modern Slavery

All hotels and restaurants should make proper background checks on the agencies who supply them with labour, including where the agency is operating in a supervisory role. The Association of Labour Providers and the Recruitment and Employment Confederation are the two main recruitment industry associations, and work with the Gangmasters and Labour Abuse Authority to tackle slavery.



1 Defined in Directive 2011/36/EU as the recruitment, transportation, transfer, harbouring or reception of persons, including the exchange or transfer of control over those persons, by means "of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person", for the purpose of exploitation. The consent of a victim of trafficking in human beings to the exploitation, whether intended or actual, shall be irrelevant where any of the means ("") set forth in paragraph 1 has been used or if the victim is a child

2 National Referral Mechanism Statistics 2016

3 British Hospitality Association

4 National Referral Mechanism Statistics 2016

SIGNS TO SPOT POTENTIAL VICTIMS

Legal documents

Is the person in possession of their legal documents (passport, identification and their own bank account details) or are these being held by someone else? Victims will often be forced to use false or forged identity documents.

Pay

Are there a group of workers who have their wages paid into the same bank account? This may be sign of the illegal gangmaster collecting all their wages. Are they having wages taken off them for accommodation, food or to repay supposed debt?

Transport

Are a group of workers dropped off or picked up at unusual times of the day, are they all taken to the same property?

Appearance

Does the person look malnourished, unkempt, or appear withdrawn? Are they suffering physical injuries? Do they have few personal possessions and often wear the same clothes? What clothes they do wear may not be suitable for their work.

Behaviour

Is the person withdrawn or appear frightened, unable to answer questions directed at them or speak for themselves and/or an accompanying third party speaks for them? If they do speak, are they inconsistent in the information they provide, including basic facts such as the address where they live? Do they appear under the control/influence of others and rarely interact with colleagues?

Medical care

Does the person have old or serious untreated injuries? Have they delayed seeing a healthcare professional, and are they vague, reluctant or inconsistent in explaining how the injury occurred?

Fear of authorities

Is the person afraid of the authorities (police, immigration, the tax office)? Are they scared of removal or what might happen to their families?

Debt bondage

Does the victim perceive themselves to be in debt to someone else or in a situation of dependence?

If you think you've identified a trafficker or illegal gangmaster call the police on 101

For advice on how you can avoid employing victims of trafficking and how you can help ensure your supply chain is slave free visit stronger2gether.org

If you think you work with or employ someone who may be a victim of Modern Slavery or forced labour you can call a helpline on 0800 0121 700 and talk through your concerns or visit modernslavery.co.uk

The Institute for Human Rights and Anti-Slavery International have produced specific advice for the hospitality industry to help combat forced labour visit staff-wanted.org

ENSURE YOU ARE MAKING THE FOLLOWING CHECKS TO PROTECT WORKERS:

Contract

Check that all staff, including agency workers, have a written contract of employment and that they have not had to pay any direct or indirect fees to obtain work.

Right to work

Make sure staff are legally able to work in the UK. Does the recruitment agency provide assurance that the appropriate checks have been made on the person they are supplying?

Shared occupancy

Check the names and addresses of those working for you. If you have a number of people listing the same address it may indicate high shared occupancy, often a factor for those being exploited.

Statutory rights

Make sure your workers know their statutory rights including sick pay, holiday pay and any other benefits they may be entitled to.

Assess quotes and fees

Use indicative pricing statistics to assess quotations and fees from agencies offering or charging suspiciously low rates.

Appendix B - Summary of changes

Section	Change	Notes
General	Amended contact details and weblinks, moved glossary to end of document and removed the application process flowcharts.	Flowcharts have been removed as these are now out of date and more procedure based than policy.
2	Gathered the key aims of the policy into one section.	This is an amalgamation of the previous separate sections on key aims and licensing objectives and removes some duplication which was previously present.
2.9 - 2.11	Added sections on equality.	To clarify the authority's responsibilities under the Equality Act 2010.
3	New section on operating schedules and conditions.	This is an amalgamation of the previous separate sections on applications, licence conditions and hours and removes some duplication which was previously present.
3.5	Reference to the Applicant Guidance document added.	This is a standalone document with the pool of model conditions and other useful information for applicants and licence holders. This was published since the policy was last reviewed.
4	Minor points of clarification, added reference to partnership working with Home Office Immigration Enforcement and new section (4.17) to add some additional points for consideration.	This ensures the policy aligns with the current Applicant Guidance document in use and reflects the partnership working with the Home Office Immigration Enforcement in respect of illegal working on licensed premises.
5	Added section on safeguarding (5.8), minor points of clarification and new section (5.18) to add some additional points for consideration.	These new sections clarify the expectations for licence holders relating to safeguarding and ensures the policy aligns with the current Applicant Guidance document in use.
6	Minor points of clarification and new section (6.17) to add some additional points for consideration.	To ensure the policy aligns with the current Applicant Guidance document in use.
7	Added section on child exploitation (7.18), clarify process for classification of films (7.16), amended 7.8 to remove reference to Challenge 21, and new section (7.19) to add some additional points for consideration.	These new sections clarify the expectations for licence holders relating to Child I Exploitation and ensures the policy aligns with the current Applicant Guidance document in use. In addition the recommendation to premises is to use a Challenge 25 policy to ensure a good buffer for those carrying out age verification checks.
8	New section on representations.	To ensure clarity for those considering making representations and confirm how they are handled. References to representations elsewhere in the previous policy have been collated in this section.

Appendix B - Summary of changes

9	New section on determination of applications.	This uses the previous section on delegation of decision making and adds clarification on the licensing process as it relates to determination of applications.
10	Updated temporary event notices section.	To clarify the time scales for late TENs.
12	Updated section on personal licences.	To confirm the changes brought about as a result of the Immigration Act 2016.
13	New section on club premises certificates.	Separates out and clarifies the status of clubs.
14	New section on appeals.	This information was present previously and has just been given a separate section for ease of reference
15	New section on management of licensed premises.	This is a new section incorporating the previous section about the role of the Designated Premises Supervisor (DPS) and some other useful direction for licence holders.
16	New section for complaints, enforcement and inspections	This now incorporates all the information on matters relating to complaints, inspections and enforcement.
18	Updated special licensing policies section.	Cumulative impact section updated due to changes in law and guidance in this area.

Appendix C – Report on results of consultation

Andy Dean TVP Licensing (South)

No comments

Ian Wares TVP Licensing (Vale)

No comments

Anonymous

No comments

Anonymous

No comments

Ipsden Parish Council

With reference to the final sentence of Section 6.14 relating to Small music festivals and outdoor events, it is suggested that 'and' replace 'or' as follows:

Organisers are encouraged to employ event management techniques similar to larger scale events to avoid public nuisance, these can include considering the suitability of the location, the geography, limiting amplifier output, duration and direction.

The use of 'or' in this context might suggest that consideration need only be given to one cause of public nuisance such as limiting amplifier output, or duration, or direction, rather than consideration for all potential causes of public nuisance associated with a small music festival or outdoor event.

Officer response: Amended 6.14 accordingly.

Thame Town Council

Thame Town Council considered all the proposed changes and raised no objections.

Wallingford Town Council

Wallingford Town Council discussed the consultation at their Council meeting on the 7th December and agreed that Council would respond that they wished to be kept informed and stay in the process and that once more details are know they will discuss further.

Public Health, Oxfordshire County Council

2. Licensing Objectives and Key Aims

Add a section as follows:

Please see the Local Alcohol Profile and maps available on our website. These aim to increase awareness of local risks and improve information sharing in order to facilitate positive engagement with licensees and a more coordinated approach to local risks. They also inform applicants of the specific risks that need to be considered prior to submitting any new or variation licence applications or temporary event notices, to ensure the promotion of the licensing objectives.

Officer response: New section 2.9

4. Prevention of Crime and Disorder

Add to 4.8 as follows:

Any premises application must consider the installation of CCTV covering both inside and outside of the premises with images retained for a minimum of 31 days or detail why they do not think it is appropriate in their application. Staff must be trained to operate the CCTV equipment and able to provide recordings within 24 hours to any of the responsible authorities on request.

Officer response: Amended 4.8 and added to 4.9

Add a new point after 4.9 as follows:

Premises should complete a specific risk assessment in respect of any alcohol promotions and should follow any industry codes of practice such as the Portman Group Code of Practice of the Naming, Packaging and Promotion of Alcoholic Drinks. Promotions that encourage irresponsible consumption of alcohol should be avoided, including drinking games as these would likely breach the relevant mandatory licence conditions and pose a risk to public safety.

Officer response: Added new section 4.11

Add to 4.13 as follows:

The application should state if they propose the use of registered door supervisors which is supported by the completion of a risk assessment. Where it is felt the registered door supervisors are not required the reasons for this should be provided in the application and again supported by the completed risk assessment.

Officer response: Amended section 4.15

Add to 4.17 as follows:

The following should be considered

- Measures to prevent the bringing of offensive weapons onto the premises
- Illegal (illicit, counterfeit or non-duty paid) tobacco or alcohol
- Use of toughened glass or plastic (consideration to be given to the use of plastic drinking receptacles in outside areas that are situated in town centres).

Officer response: Added to section 4.20

5. Public Safety

Add as follows:

Premises must make provision to ensure that premises users safely leave their premises.

Measures that may assist include:

- Providing information on the premises of local taxi companies who can provide safe transportation home;
- Adequate lighting outside the premises, in car parks and on paths leading to and from the premises.

Officer response: Added new section 4.17

Alcohol Harm Reduction (add following to existing 5.5-5.7)

Please refer to the Local Alcohol Profile which can be found on the council's website.

Officer response: Added to section 5.6

Alcohol related harm costs UK an estimated £21 billion per year, of which £11 billion is related to crime, £3 billion is related to NHS and £7 billion is related to lost productivity, sickness or unemployment. Alcohol is recognised as a causal factor for more than 60 diseases and a greater risk for mortality. Excessive alcohol consumption is a major cause of preventable premature death. Higher risk of alcohol misuse is seen in populations with severe disadvantage, especially those with poor mental health, offenders and the homeless. It is also seen in higher proportion in areas of deprivation and increases health inequality. The impact of harmful drinking and alcohol dependence is much greater for those in the lowest income bracket and those experiencing the highest levels of deprivation. <https://www.gov.uk/government/publications/health-matters-harmful-drinking-and-alcohol-dependence/health-matters-harmful-drinking-and-alcohol-dependence>

According to the 2019 Index of Multiple Deprivation (IMD), though overall South Oxfordshire is relatively less deprived, parts of Berinsfield and Didcot West are amongst the 40% most deprived areas nationally. In Vale of White Horse, one small part (LSOA) of Abingdon Caldecott is among the 20% most deprived neighbourhoods nationally. A small area in Faringdon is within the 50% most deprived LSOAs nationally. For further information, maps of deprivation (IMD) ranked nationally and within each district are available here: <http://insight.oxfordshire.gov.uk/cms/jsna-district-summaries-2020>

The Oxfordshire Drug and Alcohol Partnership Strategy (2020-2024) brings together partners, including the Licensing Authority and Responsible Authorities to work together to reduce the harm caused to individuals and to society by misuse of alcohol and drugs. Further information is available here: <https://mycouncil.oxfordshire.gov.uk/documents/s52833/Item%2010%20-%20DA%20partnership%20strategy%20FINAL%20DRAFT%20HIB%20Sept%202020.pdf>

Officer response: Added new sections 5.8 – 5.10

Replace existing 5.11 – 5.14 with following:

The inclusion of the Local Director of Public Health as a responsible authority under the Act enables Public Health to have a say in alcohol licensing. Public Health may have access to information that is unavailable to other responsible authorities, which help the licensing authority exercise its functions.

The role of the Director of Public Health is to help promote the health and wellbeing of the local populations they serve. This wide remit influences a wide range of circumstances, including local licensing arrangements. The licensing regime is concerned with the promotion of the licensing objectives which collectively seeks to protect the quality of life for those who live and work in the vicinity of licenced premises and those who socialise in licensed premises. The Director of Public Health could make or support representations as well as make observations on licensing applications. The focus on the wellbeing of the wider community via licensing is an important addition to the role of public health in promoting the wellbeing of their localities.

Officer response: New sections 5.14 – 5.16

Add following to 5.18:

- There shall be no external advertising of alcohol on the premises or facia windows.
- Premises should consider promotion of smaller measures of alcohol.

Officer response: Added to 4.20 and 4.11 respectively.

6. Prevention of Public Nuisance

Add following to 6.9:

Steps should be taken towards supporting the proposed Oxfordshire Smokefree Policy.

Officer response: Added to section 6.9

7. Protection of children from harm

Add following to 7.18:

Under the Licensing Act 2003, premises licence holders and Designated Premises Supervisors have a legal responsibility to ensure that children and young people are protected from harm at their premises. The guidance issued under Section 182 of the Licensing Act requires that children must be protected from 'moral, psychological and physical harm, which not only includes protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure of certain films or adult entertainment).' It is important that the risk of child exploitation is managed at premises to both protect children and young people from harm as well as to protect the business, particularly financial and reputational risk if legal action is taken against the premises, which could result in suspension or revocation of the licence.

To minimise the risk to children and young people, premises need to have preventative systems in place. Below are some suggested safeguarding measures:

- Undertake a written children and young person's risk assessment and use it to inform or complement your staff training and premises operating policy
- Staff should be trained to operate an age verification scheme, know what types of identification can be accepted and to recognise signs of proxy purchase of alcohol
- Staff should be trained to recognise indicators of child sexual exploitation and know how to report concerns
- Staff training records should be maintained
- Activities at the premises should be monitored (by using CCTV or by regular patrols). If patrols are carried out, a record should be kept of who made the patrol, where they patrolled and the time it was carried out together with the date.
- Suspicious activities should be reported to the police, including details of vehicle registration numbers and description of any individuals involved and all incidents of this nature should be recorded in the premises' incident log.
- If the Designated Premises Supervisor, Licence Holder or staff are in a situation involving the supervision of a vulnerable person at the premises, it is important to follow a consistent and auditable protocol.
- Code of conduct could be enforced when deliveries are made to unaccompanied children.

Officer response: Added new sections 7.19 and 7.20

Council Report



Report of Head of Corporate Services
Author: James Carpenter
Telephone: 01235 422422
E-mail: james.carpenter@southandvale.gov.uk
To: Council
Date: 10 February 2021

Pay policy statement 2021/22

Recommendation

That Council approve the attached statement of pay policy for 2021/22.

Purpose of report

1. The Localism Act 2011 requires the council to produce and publish annually a pay policy statement. By approving the attached statement, the council will discharge this responsibility.

Background

2. The purpose of the pay policy statement is to promote transparency on public sector pay, particularly in relation to remuneration of senior officers. Comparisons are also made with the remuneration of the lowest paid employees and with average salaries.
3. The pay policy statement must be approved by 31 March each year, by a meeting of the Full Council. The pay policy statement may be amended during the year by further resolution of the council.
4. Once approved, the pay policy statement must be published on the council website and by any other means that the council sees fit.
5. Because officers of each council are placed at the disposal of the other and their costs are shared, the pay policy statement attached has been drafted jointly with South Oxfordshire District Council.

Recommendation

6. Council is asked to approve the pay policy statement for 2021/22.

Background papers

None

Pay Policy Statement for 2021/22

INTRODUCTION

1. This is a joint statement of South Oxfordshire and Vale of White Horse District Councils.
2. The Localism Act 2011 requires each council to produce and publish annually a pay policy statement. The statement must be approved by 31 March each year, by a meeting of the Full Council, and must then be published on the council's website. The pay policy statement may be amended during the year by further resolution of the council.
3. The pay policy statement must as a minimum include details of the council's policy on:
 - the remuneration of its chief officers
 - the remuneration of its lowest-paid employees
 - the relationship between the remuneration of its chief officers and other officers.
4. For the purposes of the Localism Act 2011 and this statement, the term "chief officers" is defined by Section 2 of the Local Government and Housing Act 1989. For these councils, the term "chief officers" refers to the chief executive, heads of service, service managers, the head of paid service, the monitoring officer and the chief finance officer.
5. Chief officers may be employed by either council, and are placed at the disposal of the other by means of an agreement made under Section 113 of the Local Government Act 1972.

ORGANISATION STRUCTURE

6. There were no changes to organisational structure during 2020/21. Recruitment for vacant positions will continue in 2021/22.

REMUNERATION OF CHIEF OFFICERS

7. Chief officers are paid a spot salary. The spot salaries which apply for 2021/22 are as follows:
 - chief executive: £166,288
 - heads of service: £98,314

Service Managers will be paid on the joint council pay scale at grade 11.

- service managers: £60,429 to £67,244.
8. Chief officers do not receive any performance-related pay or bonuses.

9. The chief executive has been designated as the councils' head of paid service. No additional remuneration is payable for that designation.
10. The head of finance has been designated as the councils' chief finance (section 151) officer. No additional remuneration is payable for that designation.
11. The head of legal and democratic has been designated as the councils' monitoring officer. No additional remuneration is payable for that designation.
12. The head of legal and democratic has been appointed as the councils' returning officer. In this role they receive additional remuneration, which varies from year to year. They may also employ other officers to support them in their work. Fees payable for district and parish council elections are agreed by each council. Fees for other types of election are agreed and payable by the government or other bodies such as Oxfordshire County Council.
13. Chief officers do not receive overtime, on-call or stand-by payments, and do not receive additional payment for attendance at evening meetings. The chief executive, at their discretion, may make additional responsibility payments as required. Three substantive heads of service are currently in receipt of a honorarium payment of £21,205 for 2021/22 for acting as deputies to the chief executive.
14. On recruitment of a new head of service within the current management structure, the gross base salary on recruitment will be the spot salary stated in paragraph 7, though this may be varied if an interim appointment is made.
15. On recruitment of a new chief executive, the gross base salary will be determined by the Joint Staff Committee.
16. In the event of a chief officer's post becoming redundant, any severance payment will be made on the same basis as to any other employee, according to the councils' organisational change policy. Other than any pension to which they are statutorily entitled, no other payments will be made to chief officers on their ceasing to be employees of the council unless in settlement of any dispute.
17. Chief officers' contributions to the Local Government Pension Scheme (LGPS) are determined by their salary and by the rules of the scheme. For those who are members of the LGPS and paying contributions on the whole of their salary, heads of service currently pay 10.5 per cent of their salary into the scheme, while the chief executive pays 12.5 per cent. Service managers who earn between £46,901 and £65,600 will pay 8.5 per cent, those who earn above £65,601 will pay 9.9 per cent.
18. No enhancements will normally be paid to chief officers' pensions other than in the event of a chief officer being offered early retirement on efficiency grounds, and only then with the approval of the Joint Audit and Governance Committee.
19. The councils will not re-employ a chief officer who has left their employment and is now drawing a local government pension, unless there are exceptional circumstances.

LOWEST-PAID EMPLOYEES

20. The lowest-paid employees are employed on full time 37 hours equivalent salaries in accordance with the minimum spinal column point currently in use within the council's grading structure. As at 1 February 2021, this is £17,692 per annum. The chief executive's salary is thus 9.4 times the salary of the lowest-paid member of staff.

REMUNERATION OF CHIEF OFFICERS COMPARED WITH OTHER OFFICERS

21. Employees who are not chief officers are paid according to locally agreed pay scales, with annual increments paid subject to performance until the employee reaches the top of the scale. Pay negotiations for 2021/22 have not yet been concluded, however, there is scope for these pay scales to increase depending on pay negotiations. Pay increases will be applied with effect from 1 April 2021.

22. The Ministry of Housing, Communities and Local Government (MHCLG) published in February 2015 a code of recommended practice for local authorities on data transparency. This code of practice recommends publishing the "pay multiple", the ratio between the highest paid salary and the median average salary of the whole of the authority's workforce. For this council the median salary during 2021/22 will be £37,490 (based on current data). The pay multiple defined above is thus 4.4.

Council



Report of Head of Legal and Democratic

Author: Steven Corrigan

Telephone: 07717 274704

E-mail: steven.corrigan@southandvale.gov.uk

To: COUNCIL

DATE: 10 February 2021

Councillors' allowances scheme

Recommendations

That Council:

1. considers the recommendations of the Joint Independent Remuneration Panel;
2. authorises the head of legal and democratic to finalise a councillors' allowances scheme based on the decision in 1 and to make any consequential amendments to the constitution;
3. agrees that the revised scheme should apply from 1 April 2021;
4. agrees that any special responsibility allowance payable to the Chair of the Climate Emergency Advisory Committee be backdated to 1 April 2020;
5. thanks the members of the Independent Remuneration Panel for their work in reviewing the councillors' allowance scheme.

Purpose of Report

1. To consider the report and the recommendations of the Joint Independent Remuneration Panel (the panel) on a revised councillors' allowances scheme and to agree a scheme of allowances to run from 1 April 2021.

Background

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

3. At its meeting on 7 October 2020 Council agreed to establish a joint independent remuneration panel with South Oxfordshire District Council to carry out reviews of the councillors' allowances schemes at both councils.

The decision of Council was;

- appoint a joint independent remuneration panel with Vale of White Horse District Council to carry out reviews of the councillors' allowances schemes at both councils and make recommendations on any changes to the schemes to the relevant Council;
 - make the appointment of the Joint Independent Remuneration Panel effective until May 2024, one year after the 2023 district council elections;
 - to appoint South East Employers as one of the members of the Joint Independent Remuneration Panel, to act as chair and provide training to new panel members;
 - authorise the head of legal and democratic to make appointments to the Joint Independent Remuneration Panel.
4. Pursuant to the decision, the head of legal and democratic made appointments to the panel. Three members were appointed as panel members, including Mark Palmer, Development Director, South East Employers, who acted as chair and provided a training programme for panel members. Officers from democratic services provided administrative support.

Panel report

5. The recommendations of the panel, which met three times during November 2020, are set out in the attached report at appendix 1. The report details the reasons and rationale for the recommendations made by the panel. The recommended allowances are summarised in the table below:

	CURRENT ALLOWANCES £	2020/2021 RECOMMENDATIONS £	RATIONALE & METHODOLOGY
Basic Allowance	5,084	£5,585	2017 formula
Leader of The Council	20,334	22,340	4 x Basic Allowance
Deputy Leader	Was 70% of Leader- 14,234	13,404	60% of Leader
Cabinet Members	10,166	11,170	50% of Leader
Chair of Planning Committee	6,101	6,702	30% of Leader
Chair of Council	5,084	5,585	25% of Leader

Vice Chair of Planning Committee	3,050	3,351	50% of Chair of Planning Committee
Chair of Scrutiny Committee	3,050	3,351	15% of Leader
Chair of Climate Emergency Advisory Committee	New committee; new SRA	3,351	15% of Leader
Leader of Main Opposition Group	2,033	2,234¹	10% of Leader
Vice Chair of Scrutiny Committee	No allowance	No allowance	No change
Vice Chair of Council	1,526	1,676	30% of Chair of Council
Chair of General Licensing Committee	2,033	1,676	7.5% of Leader
Chair of Audit and Governance Committee	1,526	1,676	7.5% of Leader
Chair of the Community Governance and Electoral Issues Committee	1,526	1,676	7.5% of Leader

6. The panel recommends the continuation of provisions in the current allowances scheme for the payment of a travel allowance to co-opted members and independent persons, travel and subsistence for councillors and dependants' carers' allowance (paragraph 4.3 to 4.5 of the panel report). The panel recommends the introduction of parental leave to support councillors who require parental leave for maternity, paternity or adoption leave (paragraph 4.6 of the panel report).
7. Council is required to approve a councillors' allowance scheme to comply with The Local Authorities (Members' Allowances) (England) Regulations 2003. The options are:-
- (i) to accept the recommendations of the Independent Remuneration Panel

¹ Payable if the Political Group has at least 15% of the total Council Members (South Oxfordshire District Council 5 group members, Vale of White Horse District Council 6 members).

- (ii) to reject all or some of the recommendations of the Independent Remuneration Panel and agree alternative allowances if in any cases it does not consider them appropriate.

Financial Implications

- 8. Any increase in allowances will be met from underspends and/or contingency in the 2021/22 financial year. Officers would submit an essential growth bid for future years if required.

Legal Implications

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

Conclusion

- 10. The Independent Remuneration Panel has undertaken a review of the councillors' allowances scheme. Council is requested to consider the recommendations set out in the report and agree a scheme of allowances to run from 1 April 2021 and consider whether to back date the payment of any special responsibility to the Chair of the Climate Emergency Advisory Committee to 1 April 2020.



**The report of the Independent Remuneration Panel
appointed to review the allowances paid to Councillors
of South Oxfordshire & Vale of White Horse District
Councils**



December 2020

CONTENTS

1.	INTRODUCTION AND BACKGROUND	1
2.	CURRENT SCHEME	1
3.	PRINCIPLES UNDERPINNING OUR REVIEW	2
3.1	THE PUBLIC SERVICE PRINCIPLE	2
3.2	THE FAIR REMUNERATION PRINCIPLE.....	2
4.	CONSIDERATIONS AND RECOMMENDATIONS	3
4.1	BASIC ALLOWANCE	3
4.2	SPECIAL RESPONSIBILITY ALLOWANCES (SRAs).....	6
4.3	CO-OPTEEES’/ INDEPENDENT PERSONS ALLOWANCE	11
4.4	TRAVELLING AND SUBSISTENCE ALLOWANCE	11
4.5	DEPENDANTS’ CARERS’ ALLOWANCE	11
4.6	PARENTAL LEAVE	12
4.7	INDEXING OF ALLOWANCES.....	13
4.8	REVOCAION OF CURRENT SCHEME OF ALLOWANCES / IMPLEMENTATION OF NEW SCHEME	13
5.	OUR INVESTIGATION	14
5.1	BACKGROUND	14
5.2	COUNCILLORS’ VIEWS ON THE LEVEL OF ALLOWANCES	14
5.3	Councillors' views on performance	
6.	APPROVED COUNCILLOR DUTIES	14

Appendix 1 Basic Allowance/Special Responsibility Allowances/Co-Optees’ Allowance/ Dependants’ Carers’ Allowance / Mayoral Allowances – Summary of Recommendations	
Appendix 2 IRP Review of Councillor Allowances Responses to the Questionnaire 2020 <ul style="list-style-type: none"> • Summary of Combined SODC VOWH surveys • South Oxfordshire DC Questionnaire Responses (PDF) • Vale of White Horse DC Questionnaire Responses (PDF) 	
Appendix 3 Comparative data of allowances paid to councillors of the other Oxfordshire district councils (South East Employers, Members Allowances Survey 2020)	

1. INTRODUCTION AND BACKGROUND

1.1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 ("the 2003 Regulations"), as amended, require all local authorities to appoint an independent remuneration panel (IRP) to advise on the terms and conditions of their scheme of councillors' allowances.

1.1.2 The Councils formally appointed the following persons to undertake this process and make recommendations on its future scheme.

John Bradon – Local resident
David Rushton- Local resident
Mr Mark Palmer – Development Director, South East Employers (Chair)

1.1.3 Our terms of reference were in accordance with the requirements of the 2003 Regulations, together with "Guidance on Consolidated Regulations for Local Authority Allowances" issued jointly by the former Office of the Deputy Prime Minister and the Inland Revenue (July 2003). Those requirements are to make recommendations to the Council as to:

- (a) the amount of basic allowance to be payable to all councillors;
 - (b) the level of allowances and whether allowances should be payable for:
 - (i) special responsibility allowances, including those for new committees (Climate Emergency Advisory Committee);
 - (ii) travelling and subsistence allowance;
 - (iii) dependants' carers' allowance;
 - (iv) parental leave and.
 - (v) co-optees' allowance.
- and the amount of such allowances.
- (c) whether payment of allowances may be backdated if the scheme is amended at any time to affect an allowance payable for the year in which the amendment is made.
 - (d) whether adjustments to the level of allowances may be determined according to an index and if so which index and how long that index should apply, subject to a maximum of four years before its application is reviewed.

2. CURRENT SCHEME

2.1.1 The last review of councillors' allowances was undertaken by the IRP for both Councils in January 2017. The scheme of allowances was brought into effect from May 2017.

2.1.2 The Scheme currently provides that all councillors are each entitled to a total basic allowance of £5,084 per annum, with effect from April 2020. In addition, some councillors receive special responsibility allowances for undertaking additional duties.

2.1.3 Councillors may also claim the cost of travel and subsistence expenses and for expenditure on the care of children or dependants whilst on approved duties.

3. PRINCIPLES UNDERPINNING OUR REVIEW

3.1 The Public Service Principle

- 3.1.1 This is the principle that an important part of being a councillor is the desire to serve the public and, therefore, not all of what a councillor does should be remunerated. Part of a councillor's time should be given voluntarily. The consolidated guidance notes the importance of this principle when arriving at the recommended basic allowance.¹ Moreover, we found that a public service concept or ethos was articulated and supported by most of the councillors we interviewed and in the responses to the questionnaire completed by councillors as part of our review.
- 3.1.2 The principle of public service had been recognised in previous IRP reviews and was quantified in 2017. To provide transparency and increase an understanding of the Panel's work, we will continue to recommend the application of an explicit Public Service Discount (or PSD). Such a PSD is applied to the time input necessary to fulfil the role of a councillor. Further explanation of the PSD to be applied is given below in section 4.

3.2 The Fair Remuneration Principle

- 3.2.1 Alongside the belief that the role of the elected Councillor should, in part, be viewed as unpaid voluntary service, we advocate a principle of fair remuneration. The Panel in 2020 continues to subscribe to the view promoted by the independent Councillors' Commission:

Remuneration should not be an incentive for service as a councillor. Nor should lack of remuneration be a barrier. The basic allowance should encourage people from a wide range of backgrounds and with a wide range of skills to serve as local councillors. Those who participate in and contribute to the democratic process should not suffer unreasonable financial disadvantage as a result of doing so.²

- 3.2.2 We are keen to ensure that our recommended scheme of allowances provides reasonable financial compensation for councillors. Equally, the scheme should be fair, transparent, logical, simple, and seen as such.
- 3.2.3 Hence, we continue to acknowledge that:
- (i) allowances should apply to roles within the Council, not individual councillors;
 - (ii) allowances should represent reasonable *compensation* to councillors for expenses they incur and time they commit in relation to their role, not *payment* for their work; and
 - (iii) special responsibility allowances are used to recognise the *significant* additional responsibilities which attach to some roles, not merely the extra time required.

¹ The former Office of Deputy Prime Minister – now the Department for Communities, Housing and Local Government, and Inland Revenue, *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, London: TSO, July 2003, paragraph 68.

² Rodney Brooke and Declan Hall, *Members' Remuneration: Models, Issues, Incentives and Barriers*. London: Communities and Local Government, 2007, p.3.

- 3.2.4 In making our recommendations, we have therefore sought to maintain a balance between:
- (i) the voluntary quality of a councillor's role;
 - (ii) the need for appropriate financial recognition for the expenses incurred and time spent by councillors in fulfilling their roles; and
 - (iii) the overall need to ensure that the scheme of allowances is neither an incentive nor a barrier to service as a councillor.
- 3.2.5 The Panel as in 2017 continues to ensure that the scheme of allowances is understandable in the way it is calculated. This includes ensuring the bandings and differentials of the allowances are as transparent as possible.
- 3.2.6 In making our recommendations, we wish to emphasise that any possible negative impact they may have is not intended and should not be interpreted as a reflection on any individual councillor's performance in the role.

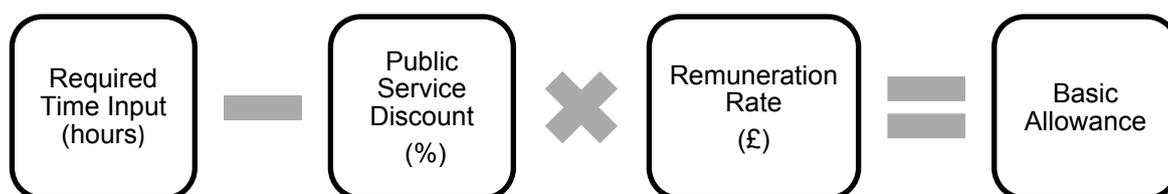
4. CONSIDERATIONS AND RECOMMENDATIONS

4.1 Basic Allowance

- 4.1.1 A Council's scheme of allowances must include provision for a basic allowance, payable at an equal flat rate to all councillors. The guidance on arriving at the basic allowance states, "Having established what local councillors do, and the hours which are devoted to these tasks the local authorities will need to take a view on the rate at which, and the number of hours for which, councillors ought to be remunerated."³
- 4.1.2 In addition to the regular cycles of Council and committee meetings, a number of working groups involving councillors may operate. Many councillors are also appointed by the Council to a number of external organisations.
- 4.1.3 We recognise that councillors are responsible to their electorate as:
- Representatives of a particular ward;
 - Community leaders;
 - Decision makers for the whole Council area;
 - Policy makers for future activities of the Council;
 - Scrutineers and auditors of the work of the Council; and
 - Regulators of planning, licensing and other matters required by Government.
- 4.1.4 The guidance identifies the issues and factors an IRP should have regard to when making a scheme of allowances.⁴ For the basic allowance we considered three variables in our calculation: the time required to execute the role effectively; the public service discount; and the rate for remuneration.

³ The former Office of Deputy Prime Minister – now the Department for Housing, Communities and Local Government, and Inland Revenue, *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, London: TSO, July 2003, paragraph 67.

⁴ The former Office of Deputy Prime Minister – now the Department for Communities and Local Government, and Inland Revenue, *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, London: TSO, July 2003, paragraphs 66-81.



4.1.5 Each of the variables is explained below.

Required Time Input

4.1.6 We ascertained the average number of hours necessary per week to undertake the role of a councillor (with no special responsibilities) from questionnaires and interviews with councillors and through reference to the relevant Councillor Role Profiles. In addition, we considered information about the number, range, and frequency of committee meetings.⁵

4.1.7 Discounting attendance at political meetings (which we judged to be centred upon internal political management), we find that the average time commitment required to execute the role of a councillor with no special responsibilities is 10 hours per week.

Public Service Discount (PSD)

4.1.8 From the information analysed, we found councillors espoused a high sense of public duty. Given the weight of evidence presented to us concerning, among other factors, the levels of responsibility, the varied nature of the role, the need for learning and development, and the increasing accessibility and expectations of the public, we recommend a Public Service Discount of 40 per cent to the calculation of the basic allowance. This percentage sits within the upper range of PSDs applied to basic allowances by councils in the south east.

Remuneration Rate

4.1.9 After establishing the expected time input to be remunerated, we considered a remuneration rate. That is to say, we came to a judgement about the rate at which the councillors ought to be remunerated for the work they do.

4.1.10 To help identify an hourly rate for calculating allowances, we utilised relevant statistics about the local labour market published by the Office for National Statistics. We selected the average (median), full-time gross⁶ wage per hour for both South Oxfordshire and Vale of White Horse Council areas. We then identified a median for both Councils £17.90⁷

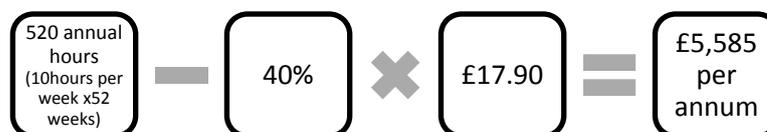
⁵ The summary responses to the questionnaires are available on request.

⁶ The basic allowance, special responsibility allowance, dependants' carers' allowance, and co-optees' allowance are taxable as employment income.

⁷ The Nomis official labour market statistics: Hourly Pay – Gross median (£) For full-time employee jobs by place of residence: UK December 2019.

Calculating the basic allowance

4.1.11 After determining the amount of time required each week to fulfil the role (10 hours), the level of PSD to be applied (40%) and the hourly rate to be used (£17.90), we calculated the basic allowance as follows:



4.1.12 The gross Basic Allowance before the PSD is applied is **£9,308**. Following the application of the PSD this leads to a basic allowance of **£5,585** per annum.

4.1.13 This amount is intended to recognise the overall contribution made by councillors, including their work on council bodies, and ward work and attendance on external bodies.

4.1.14 We did also note the levels of basic allowance currently allocated by other Oxfordshire district and city councils (see table below and Appendix 3).

Council	Oxfordshire District Councils: Basic Allowances (£) 2020 ⁸
Cherwell District Council	4,392
Oxford City Council	5,142
South Oxfordshire District Council	5,084
West Oxfordshire District Council	4,932
Vale of White Horse District Council	5,084
Average	4,927

4.1.15 The Panel wished to ensure the level of basic allowance does not constitute a barrier to candidates from all sections of the community standing, or re-standing, for election as councillors. The Panel was of the view that the 2017 review had begun to make recommendations to ensure that the current basic was in accordance with the principle of fair remuneration and the 2020 review has consolidated this approach.

WE THEREFORE RECOMMEND that the Basic Allowance payable to all members of South Oxfordshire and the Vale of White Horse District Councils be £5,585 per annum.

⁸ Figures drawn from the South East Employers, Members' Allowances Survey 2020 (October 2020).

4.2 Special Responsibility Allowances (SRAs)

4.2.1 Special Responsibility Allowances are awarded to councillors who perform significant additional responsibilities over and above the roles and expenses covered by the basic allowance. These special responsibilities must be related to the discharge of the council's functions.

4.2.2 The 2003 Regulations do not limit the number of SRAs which may be paid, nor do they prohibit the payment of more than one SRA to any one councillor. They do require that an SRA be paid to at least one councillor who is not a member of the controlling group of the Council. As the guidance suggests, if the majority of councillors receive an SRA, the local electorate may rightly question the justification for this.⁹

4.2.3 We conclude from the evidence we have considered that the following offices bear *significant* additional responsibilities:

- Leader of the Councils
- Deputy Leader of the Councils
- Members of the Cabinet
- The Chairman and Vice Chairman of Council
- Chairman of Scrutiny
- Chairman of the Planning Committee
- Chairman of the Joint Audit and Governance Committee
- Chairman of the General Licensing Committee
- Chairman of the Community Governance and Electoral Issues Committee
- Chairman of the Community Grants Panel
- Leader of the Opposition Group
- Chairman of the Climate Emergency Advisory Committee

One SRA Only Rule

4.2.4 To improve the transparency of the scheme of allowances, we feel that no councillor should be entitled to receive at any time more than **one SRA**. If a councillor is able to receive more than one SRA, then the public are unable to ascertain the actual level of remuneration for an individual councillor from a reading of the Scheme of Allowances.

4.2.5 Moreover, the One SRA Only Rule avoids the possible anomaly of the Leader receiving a lower allowance than another councillor. If two or more allowances are applicable to a councillor, then the higher-valued allowance would be received. The One SRA Only Rule is common practice for many councils. Our calculations for the SRAs are based on this principle, which should be highlighted:

WE THEREFORE RECOMMEND that that no councillor shall be entitled to receive at any time more than one Special Responsibility Allowance and that this One SRA Only Rule be adopted into the Scheme of Allowances.

⁹ The former Office of Deputy Prime Minister – now the Department for Housing Communities and Local Government, and Inland Revenue, *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, London: TSO, July 2003, paragraph 72.

The Maximum Number of SRA's Payable

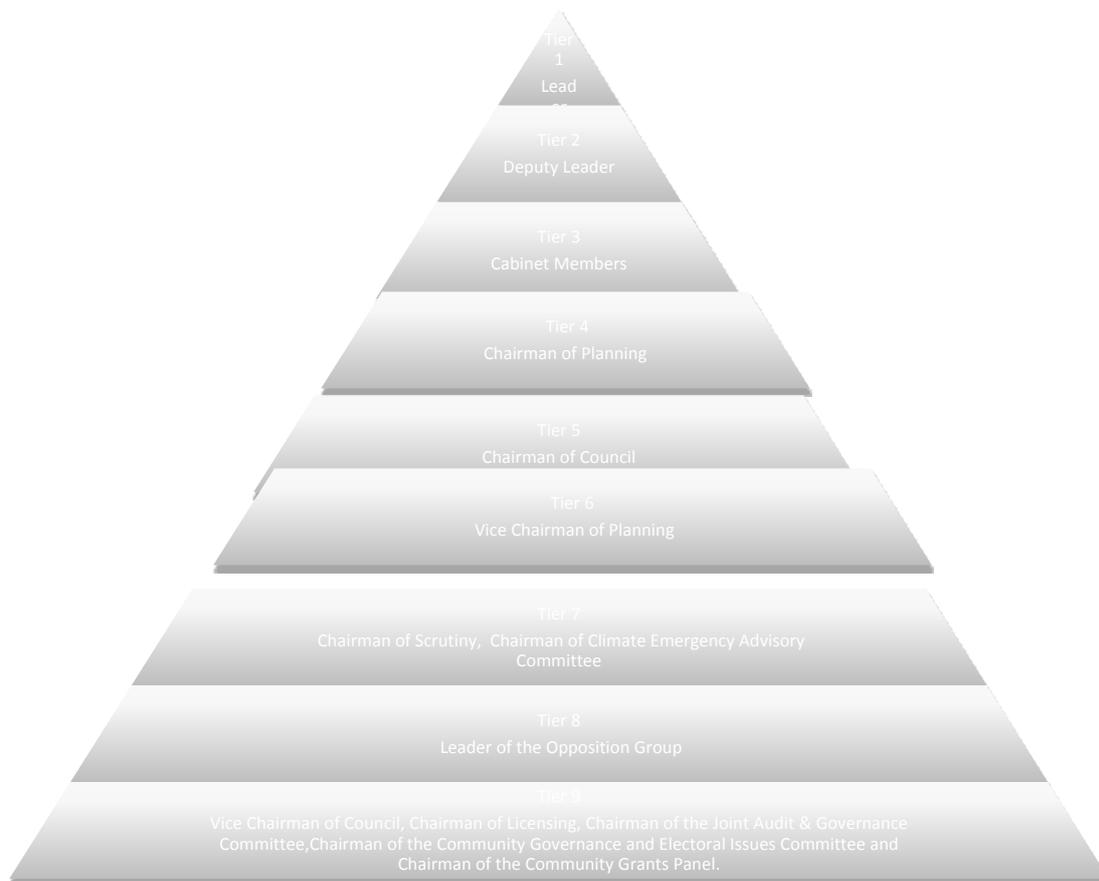
- 4.2.6 In accordance with the 2006 Statutory Guidance (paragraph 72) the Panel is of the view that the Council should work towards no more than 50% of Council Members (22) should receive an SRA at any one time.

WE THEREFORE RECOMMEND that the Council work towards a maximum number of SRA's payable at any one time does not exceed 50% of Council Members (19 Members in the Vale of White Horse and 18 Members in South Oxfordshire District Council).

Calculating SRAs

- 4.2.7 The Panel continued to the criteria and formula for calculating the Leader of the Council allowance. Based on a multiplier of the Basic Allowance, this role carries the most significant additional responsibilities and is the most time consuming.
- 4.2.8 We applied a multiplier of the basic allowance to establish the Leader's SRA. Other SRAs are then valued downwards as a percentage of the Leader's allowance. This approach has the advantage that, when future adjustments to the SRAs are required, changing the Leader's SRA will have a proportionate and easily calculable effect on the other SRAs within the scheme.

We grouped together in Tiers those roles that we judged to have a similar level of responsibility. The outline result of this approach is illustrated in a pyramid of responsibility:



4.24 The rationale for these nine tiers of responsibility is discussed below.

Leader (Tier One)

4.2.9 The Council elects for a four-year term of office a Leader who is ultimately responsible for the discharge of all executive functions of the Council. The Leader is the principal policy maker and has personal authority to determine delegated powers to the rest of the Executive. The Leader is also responsible for the appointment (and dismissal) of members of the Cabinet and their respective areas of responsibility.

4.2.10 The multiplier we applied to calculate the Leader's SRA is 400% (times) the basic allowance. If the recommended option of a basic allowance with a PSD of 40% is adopted, this results in a Leader's Allowance of £22,340.

WE RECOMMEND that the Leader of the Council continue to receive a Special Responsibility Allowance of 400% of the basic allowance, £22,340.

Deputy Leader (Tier Two)

4.2.11 The Deputy Leader usually acts on the Leader's behalf in their absence. From the information we gathered, we continue to consider this additional responsibility should be reflected in the level of allowance. Therefore, we recommend the Deputy Leader's SRA be set at 60% of the Leader's SRA. If our recommendations concerning the basic allowance and the Leader's SRA are adopted, this results in an allowance of £13,404.

WE RECOMMEND that the Deputy Leader receive a Special Responsibility Allowance of 60% of the Leader's Allowance, £13,404. Should the role of Deputy Leader be undertaken on a shared basis then both Councillors should receive 60% of the Leader's Allowance on a pro-rata basis.

Members of the Cabinet (Tier Three)

4.2.12 From the evidence gathered, including questionnaire responses, face to face interviews and the Council's Role Profiles, we consider the members of the Cabinet should receive an allowance of £11,170, 50% of the Leader's Allowance.

4.2.13 Evidence from the interviews we undertook with councillors, underlines the responsibility of the members of the Cabinet for many of the Council's functions. Members of the Cabinet hold considerable responsibility for their respective portfolios. In addition, we found the time commitment for the role to be both significant and growing.

WE RECOMMEND that the Cabinet Members receive a Special Responsibility Allowance of 50% of the Leader, £11,170.

Chairman of Planning (Tier Four)

4.2.14 The role of the Chairman of the Planning Committee continues to be a key role within a decision-making committee with high local impact across both Council areas.

WE RECOMMEND that the Chairman of Planning should continue to receive an allowance of 30% of the Leader, £6,702.

Chairman of the Council (Tier Five)

- 4.2.15 The Panel was of the view that the role of Chairman of the Council continues to have a high impact and profile across the Councils and have a high number of engagements and commitments. We therefore recommend that the role continues to be recognised at Tier Five and receive an allowance of £5,585, 25% of the Leader's Allowance.

WE RECOMMEND that the Chairman of Council should continue to receive an allowance of 25% of the Leader's allowance, £5,585

Vice Chairman of the Planning Committee (Tier Six)

- 4.2.16 The Planning Committee has a high local impact across both Council areas and the role of the Vice Chairman supporting and working alongside the Chairman is a demanding role in terms of workload and impact. The Panel therefore continue to be of the view that it receives a Special Responsibility Allowance proportionate to the Chairman of the Planning Committee. We therefore recommend an allowance of 50% of the Chairman's allowance, £3,351.

WE RECOMMEND that the Vice Chairman of the Planning Committee continue to receive an allowance of 50% of the Chairman's allowance, £3,351.

Chairman of the Scrutiny Committee and Chairman of the Climate Emergency Advisory Committee (Tier Seven)

- 4.2.17 The Scrutiny Committee does not have formal decision-making powers but is influential and recent Government Statutory Guidance (May 2019) has sought to increase the scope and influence of the scrutiny function. We have considered the requirements of the Scrutiny Committee Chairman and feel it is a significant function that has a statutory legal requirement. We consider this role should receive a Tier Seven allowance of £3,351, 15% of the Leader's Allowance.
- 4.2.18 The Climate Emergency Advisory Committee is a relatively new committee and the role of Chairman had yet to be evaluated by the Remuneration Panel. Having considered the Terms of Reference for the Panel and following responses during the interviews with councillors we are of the view that the role of Chairman is of a similar size and importance to the Chairman of Scrutiny. We therefore recommend that the Chair of the Climate Emergency Advisory Committee should receive an allowance of 15% of the Leader's allowance, £3,351.
- 4.2.19 **The Panel is also of the view that the recommended allowance should be backdated to May 2020, in accordance with the 2003 Regulations.**

WE RECOMMEND that the Chairman of the Scrutiny Committee and the Chairman of the Climate Emergency Advisory Committee receive a Special Responsibility Allowance of 15% of the Leader's Allowance, £3,351.

Leader of the Opposition Group (Tier Eight)

- 4.2.20 The Panel is of the view that the Leader of the Opposition Group continues to be a demanding role which also ensures accountability and scrutiny of the Council Leadership. The Leader of the Opposition Group also has to lead and manage a political group. We therefore recommend that the Leader of the Opposition Group should receive a Special Responsibility Allowance of 10% of the Leader's Allowance, £2,234.

- 4.2.21 Should two or more of the minority/opposition groups have the same number of councillors in their Group then the Special Responsibility Allowance of 10% of the Leader's Allowance should be paid to each of the Group Leaders.

WE THEREFORE RECOMMEND that the Leader of the largest Opposition Group receive a Special Responsibility Allowance of 10% of the Leader's Allowance, £2,234. Should two or more of the Minority/Opposition Group Leaders have the same number of councillors in their Group then the Special Responsibility Allowance of 10% of the Leader's Allowance should be paid to each of the Group Leader's. The allowance is also only payable if the Opposition Group have at least 15% of total Council Membership (currently six Group Members in the Vale of White Horse District Council and five in South Oxfordshire District Council).

Vice Chairman of Council, Chairman of General Licensing Committee, Chairman of the Joint Audit and Governance Committee, Chairman of the Community Grants Panel and Chairman of the Community Governance and Electoral Issues Committee(Tier Nine)

- 4.2.22 The Panel is of the view that the Vice Chairman of the Council should receive an allowance of 30% of the Chairman of the Councils allowance, £1,676.
- 4.2.23 The Chairman of the Joint Audit and Governance Committee and Chairman of the Community Grants Panel and Chairman of the Community Governance and Electoral Issues Committee should receive an allowance of 7.5% of the Leader's allowance, £1,676.
- 4.2.24 The Panel was also of the view that the Chairman of General Licensing Committee was now of a similar size as that of the Chairman of the Joint Audit and Governance Committee, Community Governance and Electoral Issues Committee and Community Grants Panel. The Committee should therefore receive an allowance of 7.5% of the Leader's allowance, £1,676.

WE RECOMMEND that the Vice Chairman of the Council to receive a Special Responsibility Allowance of 30% of the Chairman's allowance, £1,676. The Chairman of the Joint Audit and Governance Committee, the Chairman of the General Licensing Committee, the Chairman of the Community Governance and Electoral Issues Committee and the Chairman of the Community Grants Panel receive a Special Responsibility Allowance of 7.5% of the Leader's Allowance, £1,676.

4.3 Co-optees'/ Independent Persons Allowance

- 4.3.1 An IRP may recommend the payment and level of an allowance for those who serve on the committees or sub-committees of a Council but are not members of the Council. We recognise that in so doing, an element of the contribution made by the co-optees/Independent Persons should be voluntary. We therefore continue to recommend that co-optees/Independent Persons are entitled to travel, subsistence and other expenses in accordance with the scheme applicable to councillors.

WE RECOMMEND that co-optees/Independent Persons continue to receive travel, subsistence and other expenses in accordance with the scheme applicable to councillors.

4.4 Travelling and Subsistence Allowance

- 4.4.1 A scheme of allowances may provide for any councillor to be paid for travelling and subsistence undertaken in connection with any of the duties specified in Regulation 8 of the 2003 Regulations (see paragraph 5.10). Similarly, such an allowance may also be paid to co-opted/Independent Persons of a committee or sub-committee of the Council in connection with any of those duties, provided that their expenses are not also being met by a third party.

WE RECOMMEND that travelling and subsistence allowance should be payable to councillors and co-opted/Independent Persons in connection with any approved duties. The amount of travel and subsistence payable shall continue to be at the maximum levels payable to council staff in line with HM Revenue and Customs' rates. We propose no changes to the travel and subsistence allowances.

4.5 Dependants' Carers' Allowance

- 4.5.1 The dependants' carers' allowance should ensure that potential candidates are not deterred from standing for election and should enable current councillors to continue despite any change in their personal circumstances. The current scheme awards reimbursement for Childcare at the National Living Wage Hourly Rate and for specialist Dependent Relative Care is reimbursed at the actual cost upon production of receipts. In the case of reimbursement for specialist care, medical evidence that this type of care is required must also be provided.
- 4.5.2 The Panel therefore is of the view that the Dependants' Carers Allowance should continue to be based on two rates, general care and specialist dependent relative care. The Panel was of the view that specialist care provision should be reimbursed for the actual cost incurred by the councillor upon production of receipts. Medical evidence that this type of care provision is required must also continue to be provided and approved by an appropriate officer of the Council. Childcare should be reimbursed at the Real Living Wage Rate as recommended by the Living Wage Foundation, currently £9.50 per hour.

WE THEREFORE RECOMMEND that the Dependants' Carers' Allowance should continue as outlined in the current Scheme of Allowances and be based on two rates. Rate one for general care to now be linked to the Real Living Wage as recommended by the Living Wage Foundation, currently £9.50 per hour, with no

monthly maximum claim. This rate is reviewed by the Living Wage Foundation in November each year.

Rate two should be for specialist care based at cost upon production of receipts and requiring medical evidence that this type of care is required, with no monthly maximum claim when undertaking Approved Duties.

WE ALSO RECOMMEND that any costs incurred for the arrangement of care should be reimbursed at cost to the councillor. Finally, the current eligibility conditions for receipt of this allowance is payable when undertaking the list of Approved Councillor duties. The Council should also actively promote the allowance to prospective and new councillors both before and following an election. This may assist in supporting greater diversity of councillor representation.

4.6 Parental Leave

4.6.1 There is no uniform national policy to support councillors who require parental leave for maternity, paternity or adoption leave. According to the Fawcett Society (Does Local Government Work for Women, 2018) a *'lack of maternity, paternity provision or support'* is a real barrier for women aged 18-44 to fulfil their role as a councillor.

4.6.2 We are of the view that support should be provided for parental leave although we do not wish to stipulate an exact policy/procedure. The Panel is aware that the Local Government Association has developed a model policy that has been adopted by a growing number of councils across the south east region.

4.6.3 There is no legal right to parental leave of any kind for people in elected public office. However, as a way of improving the diversity of Councillors, the Panel would recommend that the Members' Allowance Scheme should be amended to include provisions that clarify that:

- All Councillors shall continue to receive their Basic Allowance in full for a period up to six months in the case of absence from their Councillor duties due to leave relate to maternity, paternity, adoption shared parental leave or sickness absence
- Councillors entitled to a Special Responsibility Allowance shall continue to receive their allowance in full for a period of six months, in the case of absence from their Councillor duties due to leave related to maternity, paternity, adoption, shared parental leave or sickness absence
- Where for reasons connected with sickness, maternity leave, adoption leave, paternity leave or shared parental leave a Councillor is unable to attend a meeting of the Council for a period of six months, a dispensation by Council can be sought in accordance with Section 85 of the Local Government Act 1972
- If a replacement to cover the period of absence under these provisions is appointed by Council or the Leader (or in the case of a party group position the party group) the replacement shall be entitled to claim a Special Responsibility Allowance pro rata for the period over which the cover is provided.
- If a Councillor stands down, or an election is held during the period when a Councillor is absent to due to any of the above and the Councillor is not re-

elected or decides not to stand down for re-election, their Basic Allowance any Special Responsibility Allowance will cease from the date they leave office.

- 4.6.4 The Panel is conscious that these provisions do not replicate the LGA policy but that policy introduces elements that are more akin to employees which in terms of employment legislation does not include Councillors. We feel that our recommendations more simply and adequately reflect the situation relating to Councillors and clarify for them what they can expect. District Councillors however may wish to further develop the above recommendations so that they reflect the LGA policy.

WE RECOMMEND that the approach outlined is adopted as a basis of a policy to support parental leave for councillors. Should a policy on Parental Leave for Councillors be approved it should be actively promoted to prospective and current Councillors alongside the Dependants' Carers Allowance. This should form part of a wider 'Be A Councillor' (LGA led initiative) programme led by the Council and supported by political groups; to enhance and increase the diversity of councillor representation.

4.7 Indexing of Allowances

- 4.7.1 A scheme of allowances may make provision for an annual adjustment of allowances in line with a specified index. The present scheme makes provision for the basic allowance, the special responsibility allowances and Co-Optees/ Independent Persons allowance to be adjusted annually in line with staff salaries.

WE RECOMMEND that the basic allowance, each of the SRAs and the Co-Optees' /Independent Persons Allowance be increased annually in line with the percentage increase in staff salaries from May 2022 for a period of up to three years. After this period the Scheme shall be reviewed again by an independent remuneration panel.

4.8 Revocation of current Scheme of Allowances / Implementation of new Scheme

- 4.8.1 The 2003 Regulations provide that a scheme of allowances may only be revoked with effect from the beginning of a financial year, and that this may only take effect on the basis that the authority makes a further scheme of allowances for the period beginning with the date of revocation.

WE THEREFORE RECOMMEND that the new scheme of allowances to be agreed by the Council be implemented with effect from the beginning of the 2021-22 financial year, at which time the current scheme of allowances will be revoked.

5. OUR INVESTIGATION

5.1 Background

- 5.1.1 As part of this review, a questionnaire was issued to all councillors to support and inform the review. Responses were received from 24 South Oxfordshire District Councillors, which represents 67% of Councillors. A further 24 responses were received from 24 Vale of White Horse District Councillors, which represents 63% of Councillors. The information obtained was helpful in informing our deliberations.
- 5.1.2 We interviewed eleven current councillors using a structured questioning process. We are grateful to all our interviewees for their assistance.

5.2 Councillors' views on the level of allowances

- 5.2.1 A summary of the councillors' responses to the questionnaire are attached as Appendix 2.

5.3 Councillors' views on performance

- 5.3.1 During the course of the interviews with Councillors, various comments were made regarding the payment of allowances regardless of individual Councillor performance. Phrases noted included "efficiency" and "value for money", whilst "some councillors just take the money" and "those Councillors who put the time in should be rewarded" were also said.
- 5.3.2 However, there is no question of this review investigating possible performance related issues, such matters being outside the scope of the review. Therefore any such comments have not been taken forward by the Panel, although Councillors may wish to consider this aspect in a different context.

6. APPROVED COUNCILLOR DUTIES

- 6.1.1 The Panel reviewed the recommended duties for which allowances should be payable and recommend that no changes be made.

WE THEREFORE RECOMMEND: That no changes are made to the Approved Duties as outlined in the Members' Allowance Scheme.

**Mark Palmer (Chair of the Independent Remuneration Panel)
Development Director, South East Employers
December 2020**

Appendix 1: Summary of Panel's Recommendations

Allowance	Current Amount for 2020-21	Number	Recommended Allowance (40% PSD)	Recommended Allowance Calculation
Basic (BA)				
Total Basic:	£5,084	38 & 36	£5,585	

Special Responsibility:				
Leader of the Council	£20,334	1 & 1	£22,340	400% of BA
Deputy Leader	£14,234	1 & 2	£13,404	60% of Leader's Allowance
Cabinet Members	£10,166	6 ¹⁰ & 5 ¹	£11,170	50% of Leader's Allowance
Chairman of Council	£5,084	1 & 1	£5,585	25% of Leader's Allowance
Vice Chairman of Council	£1,526	1 & 1	£1,676	30% of Chairman's Allowance
Chairman of Planning Committee	£6,101	1 & 1	£6,702	30% of Leader's Allowance
Vice Chairman of Planning	£3,050	1 & 1	£3,351	50% of Chairman's Allowance
Chairman of Scrutiny Committee	£3,050	1 & 1	£3,351	15% of Leader's Allowance
Chairman of the Joint Audit & Governance Committee	£1,526	1 & 1	£1,676	7.5% of Leader's Allowance
Chairman of General Licensing Committee	£2,033	1 & 1	£1,676	7.5% of the Leader's Allowance
Chairman of the Community Grants Panel 2	£1,526	1	£1,676	7.5% of Leader's Allowance
Leader of Opposition Group	£2,033	1 & 1	£2,234	10% of Leader's Allowance
Chairman of the Community Governance and Electoral Issues Committee	£1,526	1	£1,676	7.5% of the Leader's Allowance
Climate Emergency Advisory Committee	N/A	1	£3,351	15% of the Leader's Allowance

¹⁰ Excludes the Leader and Deputy Leader, i.e., the Cabinet has 8 members in each Council.

² Chairman of Community Grants Panel is applicable to South Oxfordshire District Council only.

Q1 In a typical week how many hours do you spend on Council business?

Answered: 24 Skipped: 0

#	RESPONSES	DATE
1	15	10/19/2020 9:14 PM
2	7	10/19/2020 5:36 PM
3	30	10/19/2020 4:42 PM
4	4	10/19/2020 10:35 AM
5	25	10/18/2020 7:47 PM
6	25 to 30 hours	10/16/2020 4:47 PM
7	12	10/16/2020 3:19 PM
8	15	10/16/2020 10:58 AM
9	7	10/15/2020 5:50 PM
10	12	10/15/2020 12:22 PM
11	40+	10/15/2020 8:27 AM
12	50	10/14/2020 10:38 PM
13	30-40	10/12/2020 5:25 PM
14	10-20	10/12/2020 3:16 PM
15	12	10/10/2020 5:31 PM
16	12	10/10/2020 3:58 PM
17	13	10/9/2020 6:08 PM
18	15	10/9/2020 3:24 PM
19	6	10/9/2020 10:42 AM
20	15-20	10/9/2020 10:39 AM
21	6-8	10/9/2020 10:19 AM
22	20-30	10/9/2020 10:18 AM
23	40	10/9/2020 10:17 AM
24	between 8 -20 hours in a week	10/9/2020 10:16 AM

Q2 If you hold a role(s) within the Council i.e. Portfolio Holder, Chair etc., how many hours do you spend in a typical week on Council business relevant to the role(s). [Please provide details separately for each role if more than one additional role is held.]Please specify specific roles below and hours spent on each role:

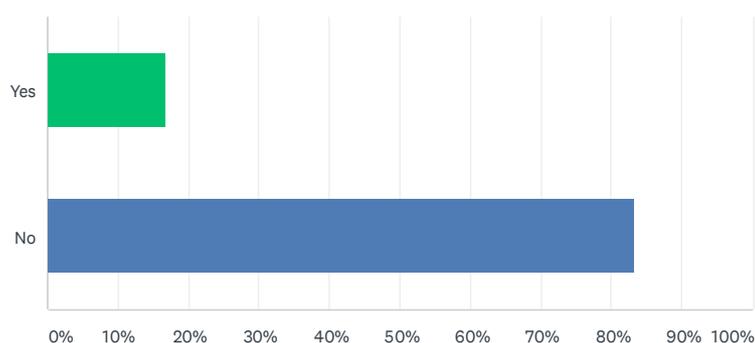
Answered: 22 Skipped: 2

Independent Remuneration Panel Members' Allowances Questionnaire 2020 - Vale of White Horse District Council

#	RESPONSES	DATE
1	n/a	10/19/2020 9:14 PM
2	Cabinet member - 25	10/19/2020 4:42 PM
3	Leader of the Opposition Group - about 20 hours	10/18/2020 7:47 PM
4	cabinet member for tackling climate emergency and environment...20-25 hours	10/16/2020 4:47 PM
5	n/a	10/16/2020 3:19 PM
6	Vice Chair Licencing 3 Vice Chair Scrutiny 0.5	10/16/2020 10:58 AM
7	No role	10/15/2020 5:50 PM
8	2 - Vice Chair Planning	10/15/2020 12:22 PM
9	It's difficult to separate roles. I am Deputy Leader and a cabinet member. So I also have responsibility for overall issues as well as service areas and some committees. I spend over 40 hours a week and since lockdown taking a break has been difficult.	10/15/2020 8:27 AM
10	Leader of the council 40 Ward member 10	10/14/2020 10:38 PM
11	25 (Portfolio)	10/12/2020 5:25 PM
12	Committee Chair - 5-10	10/12/2020 3:16 PM
13	I don't have specific roles, but I am a committee member of three committees which meet bimonthly, and I usually spend significant time reading the papers, and understanding the background, which Cllrs who are not committee members don't have to do. This is included in the calculation above though.	10/10/2020 5:31 PM
14	Co-chair Joint Audit & Governance - 2	10/10/2020 3:58 PM
15	Chair of Climate Emergency Advisory Committee 4 - 5 hours per week	10/9/2020 6:08 PM
16	0	10/9/2020 3:24 PM
17	Cycling Champion: 4	10/9/2020 10:42 AM
18	N/A	10/9/2020 10:39 AM
19	6-8 Chair of planning	10/9/2020 10:19 AM
20	no special role but member of HOSC and OX12 health review scrutiny group requiring on average 2h a week but full HOSC meetings every 2-3 months are all day	10/9/2020 10:18 AM
21	Cabinet Member Finance and Corporate Assets 30 hours	10/9/2020 10:17 AM
22	Ward Councillor - 8-10 hours a week Scrutiny Chair 1-12 hours a week depending on time of month.	10/9/2020 10:16 AM

Q3 Do you incur any significant costs which you believe are not covered by your present allowance?

Answered: 24 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	16.67%	4
No	83.33%	20
TOTAL		24

#	IF YES, PLEASE PROVIDE DETAILS:	DATE
1	Travelling expenses in non-Covid times	10/15/2020 12:22 PM
2	Pension contributions - I do not have any other income	10/14/2020 10:38 PM
3	Only significant opportunity cost!	10/9/2020 10:17 AM

Q4 Government guidance states that “it is important that some element of the work of Councillors continues to be voluntary”. As part of their deliberations, Independent Remuneration Panels will assess what Public Service Discount should apply to the basic allowance - that is the percentage of their time Councillors expect to give without any financial remuneration. Accordingly, what do you feel is an acceptable amount of time to be given, unremunerated, if any, expressed as a percentage?

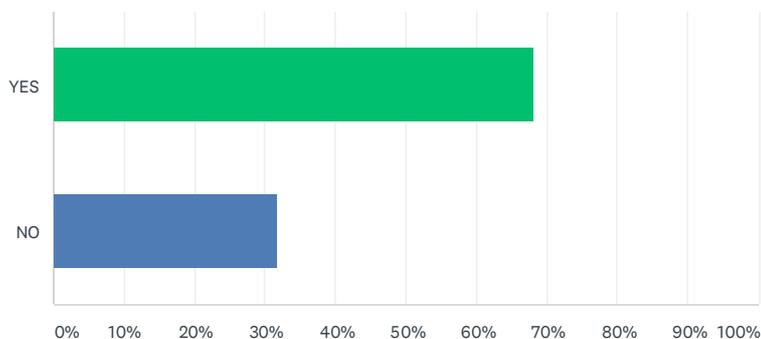
Answered: 23 Skipped: 1

#	RESPONSES	DATE
1	20	10/19/2020 9:14 PM
2	Not sure	10/19/2020 4:42 PM
3	30	10/19/2020 10:35 AM
4	25%	10/18/2020 7:47 PM
5	Up to 50%	10/16/2020 4:47 PM
6	30	10/16/2020 3:19 PM
7	30	10/16/2020 10:58 AM
8	50%	10/15/2020 5:50 PM
9	10%	10/15/2020 12:22 PM
10	I think a ten percent donation is healthy.	10/15/2020 8:27 AM
11	15%	10/14/2020 10:38 PM
12	This is a moot point as the skill level required for these positions would demand a much higher pay rate in the private or even public sector - we are given an allowance, but this by no means covers the amount of work we do.	10/12/2020 5:25 PM
13	50%	10/12/2020 3:16 PM
14	I don't know how you could possible calculate a percentage for this. No one is paid an hourly rate, as it clear because the role varies hugely from ward to ward, person to person and yet each Cllr is paid the same, unless they are cabinet etc.	10/10/2020 5:31 PM
15	25%	10/10/2020 3:58 PM
16	For me the money is not why I do it and I accept that I'm not getting the same rate per hour as my day job. However that limits who can do the job and reduces inclusivity heavily to the middle class and well off.	10/9/2020 6:08 PM
17	30%	10/9/2020 3:24 PM
18	25%	10/9/2020 10:42 AM
19	10	10/9/2020 10:39 AM
20	50%	10/9/2020 10:19 AM
21	not sure p percentage of what? possibly 20% of the time I spend on council business i.e. on average 7h per week	10/9/2020 10:18 AM
22	25%	10/9/2020 10:17 AM
23	25%	10/9/2020 10:16 AM

Q5 The present level of Basic Allowance payable to all Councillors is £5,084. Do you think this is appropriate?

Answered: 22 Skipped: 2

Independent Remuneration Panel Members' Allowances Questionnaire 2020 - Vale of White Horse District Council



ANSWER CHOICES	RESPONSES
YES	68.18% 15
NO	31.82% 7
TOTAL	22

#	IF NO, SHOULD IT BE LOWER OR HIGHER? PLEASE GIVE A REASON FOR YOUR ANSWER:	DATE
1	For a retired person it is OK, but this does not encourage younger people who we need to be on the council.	10/16/2020 4:49 PM
2	Higher - the role should not be viewed as a minimum wage job!	10/15/2020 5:51 PM
3	Higher - need to attract younger, well-educated people	10/15/2020 12:25 PM
4	In some cases higher. In some cases lower some members serve in many committees and some in none.	10/15/2020 8:28 AM
5	Again a moot point as stated above.	10/12/2020 5:27 PM
6	Higher	10/10/2020 5:35 PM
7	Whether a councillor has a separate full-time job or not should be taken into account because it affects how much time they can dedicate to council work	10/9/2020 10:48 AM
8	Higher - this could be a full time job quite easily to do it properly	10/9/2020 10:19 AM

Q6 If you are able to, please indicate an appropriate level £:

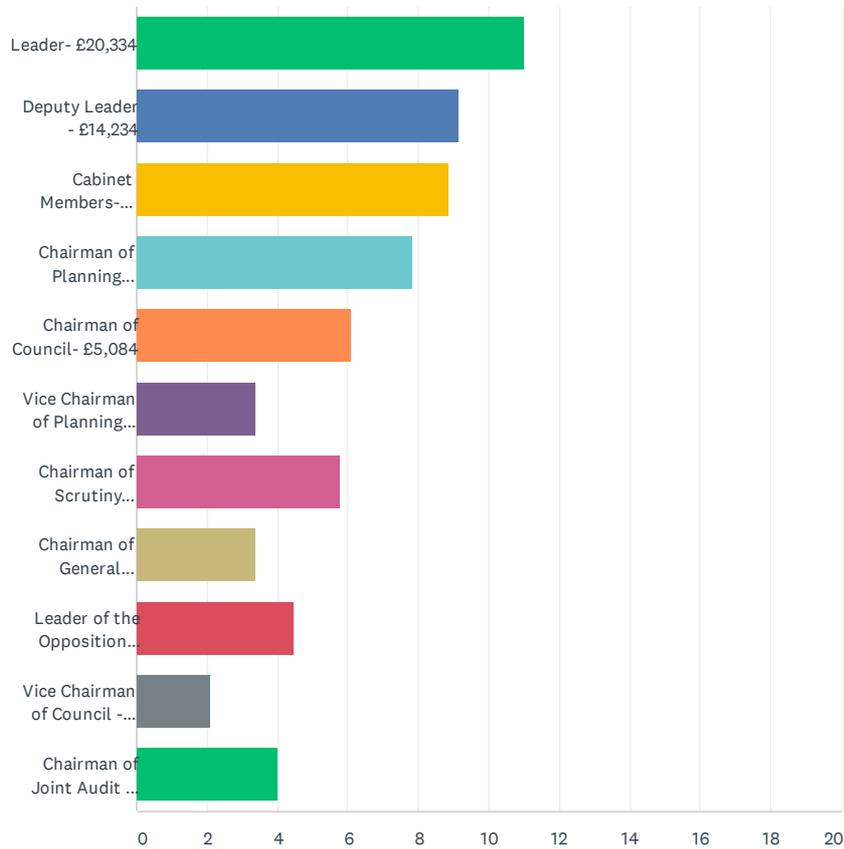
Answered: 7 Skipped: 17

#	RESPONSES	DATE
1	£6,000	10/16/2020 3:20 PM
2	£7000	10/15/2020 5:51 PM
3	£6,500	10/15/2020 12:25 PM
4	Don't know see above.	10/15/2020 8:28 AM
5	As above.	10/12/2020 3:16 PM
6	I'm not doing this for the money, but councillors with lower incomes should be adequately supported.	10/10/2020 4:00 PM
7	£10-12K	10/9/2020 10:19 AM

Q7 Special Responsibility Allowances (SRAs) are currently paid as follows: [To assist the Panel to produce a more consistent group of allowances, please can you score each role / position in respect of importance and impact, with 1 being the most important.

Answered: 20 Skipped: 4

Independent Remuneration Panel Members' Allowances Questionnaire 2020 - Vale of White Horse District Council

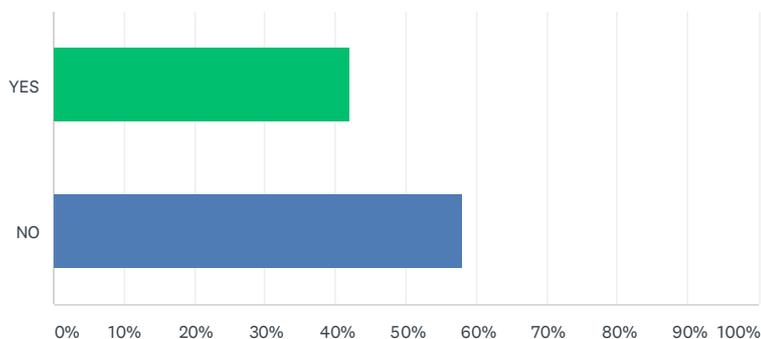


	1	2	3	4	5	6	7	8	9	10	11	TOT
Leader- £20,334	100.00% 20	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0
Deputy Leader - £14,234	0.00% 0	80.00% 16	10.00% 2	0.00% 0	0.00% 0	0.00% 0	0.00% 0	5.00% 1	0.00% 0	0.00% 0	5.00% 1	
Cabinet Members- £10,166	0.00% 0	15.00% 3	65.00% 13	15.00% 3	0.00% 0	5.00% 1	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0
Chairman of Planning Committee- £6,101	0.00% 0	0.00% 0	21.05% 4	52.63% 10	21.05% 4	0.00% 0	5.26% 1	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0
Chairman of Council- £5,084	0.00% 0	0.00% 0	0.00% 0	21.05% 4	36.84% 7	10.53% 2	15.79% 3	5.26% 1	0.00% 0	10.53% 2	0.00% 0	0.00% 0
Vice Chairman of Planning Committee - £3,050	0.00% 0	0.00% 0	0.00% 0	0.00% 0	5.26% 1	10.53% 2	5.26% 1	21.05% 4	26.32% 5	15.79% 3	15.79% 3	
Chairman of Scrutiny Committee- £3,050	0.00% 0	0.00% 0	0.00% 0	5.26% 1	10.53% 2	52.63% 10	26.32% 5	0.00% 0	5.26% 1	0.00% 0	0.00% 0	0.00% 0
Chairman of General Licensing Committee- £2,033	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	21.05% 4	26.32% 5	21.05% 4	31.58% 6	0.00% 0	0.00% 0
Leader of the Opposition Group- £2,033	0.00% 0	5.26% 1	5.26% 1	0.00% 0	10.53% 2	10.53% 2	10.53% 2	21.05% 4	15.79% 3	5.26% 1	15.79% 3	
Vice Chairman of Council - £1,526	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	10.53% 2	26.32% 5	26.32% 5	36.84% 7	
Chairman of Joint Audit and Governance Committee - £1,526	0.00% 0	0.00% 0	0.00% 0	5.26% 1	15.79% 3	10.53% 2	15.79% 3	10.53% 2	5.26% 1	10.53% 2	26.32% 5	

Q8 Would you like to see any changes made to these allowances?

Answered: 19 Skipped: 5

Independent Remuneration Panel Members' Allowances Questionnaire 2020 - Vale of White Horse District Council

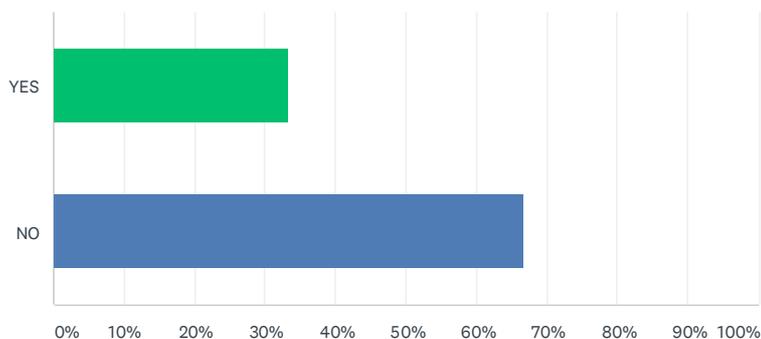


ANSWER CHOICES	RESPONSES	
YES	42.11%	8
NO	57.89%	11
TOTAL		19

#	IF YES, PLEASE PROVIDE DETAILS:	DATE
1	given that the members of the planning committee get no allowance, the vice chair seems well rewarded.	10/16/2020 4:55 PM
2	Only retired people or those without jobs could afford to do the full-time roles. If that is what is wanted, then fine - but you must therefore accept that the roles exclude a large amount of the working population	10/15/2020 5:52 PM
3	Modest increase upwards	10/15/2020 12:31 PM
4	Pay according to hours required and impact of role	10/15/2020 8:34 AM
5	We do not have 'Chairman' we have 'Chairs' The Chair of the council is a more important role than we have thought in the past - this should be paid more.	10/14/2020 10:44 PM
6	Btw, at VoWH we say CHAIR not CHAIRMAN. I'm not sure that the following positions need to be paid as highly, or at least it should be justified to the other members why they get paid for doing this role (eg, they put in significantly more time): Vice chair planning, chair General licensing, leader of opposition, chair of joint audit and governance. If we are paying chairs - why isn't the chair of CEAC being paid? From my perspective, they put significant time into understanding the technical details. The leader should be paid more. She has SIGNIFICANT responsibility for large sums of money, and for a huge number of people. To do that role justice, it is quite hard to work another job (at least that's my observation), and so a leader of a council is being paid £30K a year - how does that compare to executive managers in the private sector?	10/10/2020 5:48 PM
7	They should be reduced. Many spend little time on their roles.	10/9/2020 3:26 PM
8	Not sure to be honest as I am none of them	10/9/2020 10:21 AM
9	Leader and Cabinet Members significantly underpaid for the amount of time and level of responsibility	10/9/2020 10:21 AM
10	Sliding Scale from Leader to bottom roles as listed.	10/9/2020 10:19 AM

Q9 Would you like to see any new SRAs introduced?

Answered: 21 Skipped: 3



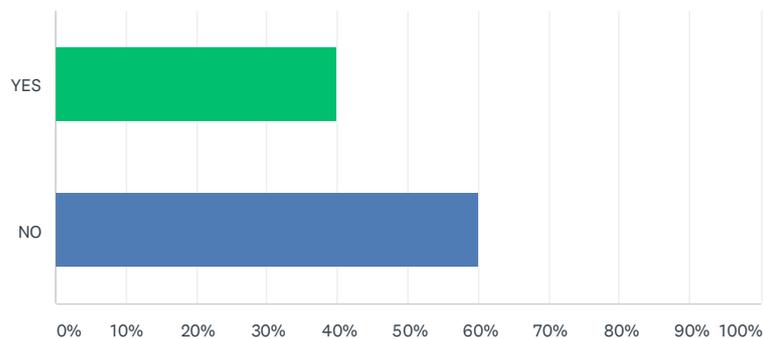
Independent Remuneration Panel Members' Allowances Questionnaire 2020 - Vale of White Horse District Council

ANSWER CHOICES	RESPONSES	
YES	33.33%	7
NO	66.67%	14
TOTAL		21

#	IF YES, PLEASE PROVIDE DETAILS:	DATE
1	members of the Planning committee	10/16/2020 4:55 PM
2	Chairman of climate emergency advisory committee. Maybe even payment for each committee seat held. It's extra work.	10/15/2020 8:34 AM
3	Chair of Climate Emergency Advisory Committee have not been considered by the IRP because it is a relatively new committee. There is a lot of work involved and this should get an SRA, perhaps similar level to that of Licensing Chair	10/14/2020 10:44 PM
4	Chair of Climate Emergency Advisory Committee	10/12/2020 3:22 PM
5	Members of committees. In particular, planning committee that meets regularly and has a large responsibility	10/10/2020 5:48 PM
6	Wouldn't like to say as I'm conflicted as chair of an unpaid committee	10/9/2020 6:10 PM
7	Cycling Champion £1,500	10/9/2020 10:54 AM
8	Chair of Climate Emergency Advisory Committee	10/9/2020 10:21 AM

Q10 Dependent Relative Care - up to £9.30 per hour, linked to the UK Real Living Wage Rate . Specialist care is reimbursed at cost upon production of receipts. Do you think these rates should be increased?

Answered: 20 Skipped: 4



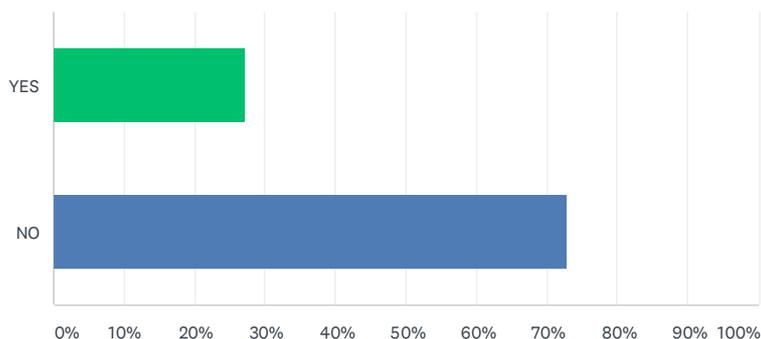
ANSWER CHOICES	RESPONSES	
YES	40.00%	8
NO	60.00%	12
TOTAL		20

#	IF YES, PLEASE INDICATE RATE AND SEASON:	DATE
1	£10	10/19/2020 5:37 PM
2	Should be national minimum wage, £10.30 per hour	10/16/2020 3:21 PM
3	£10 ph minimum - elderly and sick dependent relatives need good quality care to allow councillor to carry out their role without worrying about the quality of care of their loved ones.	10/15/2020 12:37 PM
4	I don't used them and know no one who does. But if it's a deal breaker for people with children then yes.	10/15/2020 8:35 AM
5	This question is written in a biased manner. My answer is that I am not in a position to know whether this is appropriate. So I would rather not say.	10/10/2020 5:48 PM
6	This should ensure it covers the cost of the care required.	10/10/2020 4:05 PM
7	very important and underrated role	10/9/2020 3:27 PM
8	We live in a more expensive part of the world, and charging locally could be more.	10/9/2020 10:20 AM

Q11 The current scheme of travel allowances are linked to those recommended by HMRC level. Do you have any comments on the
Page 148

current scheme for Councillors?

Answered: 22 Skipped: 2



ANSWER CHOICES	RESPONSES	
YES	27.27%	6
NO	72.73%	16
TOTAL		22

#	IF YES, PLEASE PROVIDE DETAILS:	DATE
1	Generous travel allowances, not needed when holding virtual meetings. I don't claim, as when using public transport my ticket is free because of holding a concessionary bus pass.	10/12/2020 3:44 PM
2	I have never claimed, because the process seemed more time costly than it was worth, and by the time my partner convinced me I should be claiming, I didn't have any claims to make because we've been in lockdown! Plus when I asked the officers about how to claim for an electric car, they weren't really sure.	10/10/2020 5:53 PM
3	it is unnecessary	10/9/2020 3:27 PM
4	Some regard it as a way to earn more and this encourages car usage when everything we do needs to avoid excessive car usage.	10/9/2020 10:56 AM
5	This should be done on mileage rather than on expenses involving filling up with fuel	10/9/2020 10:23 AM
6	The remuneration of councillors should include mileage. Claims should not be accepted for mileage separately.	10/9/2020 10:21 AM

Q12 If you have any other comments on Members' Allowances, please detail below:

Answered: 8 Skipped: 16

Independent Remuneration Panel Members' Allowances Questionnaire 2020 - Vale of White Horse District Council

#	RESPONSES	DATE
1	we as lib Dems have to pay a levy of 10% of our allowances to the party	10/19/2020 10:48 AM
2	Could be more generous, but not at present (pandemic)	10/16/2020 3:22 PM
3	The number of hours cabinet members, leader and deputy leader work, without a pension, I think the allocances should be more. These roles can not be done whilst also holding down a full time job, therefore only the retired or rich can afford to do them which is bad for diversity. Dealing with the responsibilities and workload expected, whilst having to accept a reduction in income compared to roles with similar levels of responsibility is not sustainable for many people. The lack of pension is a huge barrier to those of working age taking on cabinet and leadership roles.	10/14/2020 10:49 PM
4	To be an elected councillor is a privilege and because I am retired I don't need the allowance. People in work and sacrificing work/family time do need it. I don't refuse my allowance (as people struggled to get elected and properly recompensed) but I have increased my charitable giving to make good use of it.	10/12/2020 3:44 PM
5	Although I put a certain number of hours that I spend doing councillor work, this doesn't take into account time spent travelling (zero right now of course! but not before), and so true time taken is more in a sense. And I think another cost is 'mental capacity'. If I've spend all day at work, then travelling to a council meeting, spent the evening there, then travelled home, your whole time to recuparate/relax/wind down has gone before it's straight back into it again. I'm not sure that increasing members' allowances helps with that of course, but I think that just looking at the number of hours spent doesn't tell the whole story.	10/10/2020 5:53 PM
6	they are too high	10/9/2020 3:27 PM
7	This could easily by a full time job - dsicussed recently with senior councillors	10/9/2020 10:23 AM
8	They are well paid considering the roles, but some adjustment is needed.	10/9/2020 10:21 AM

SODC/VOWH Independent Remuneration Panel Members' Allowances 2020

Analysis of Questionnaire Responses from District Councillors

John Bradon, 20/10/2020, version 1

Background

Councillors in the Vale of White Horse and South Oxfordshire District Councils were asked their views on allowances and about half completed online questionnaires set up by Mark Palmer with 24 responses from VOWH and 24 from SODC.

This note summarises the results. It combines the two Districts surveys but also shows where their views differed. The analysis is in a spreadsheet: "Analysis of Combined SODC VOWH surveys.xls"

Q1 How many hours per week do you spend on Council business?

Splitting out the basic house from the extra hours on special roles gives the following results:

The average **Basic hours per week reported is 14 hours** (SODC 15 hours, VOWH 13 hours) Three respondents quoted 40 hours or more but taking these out doesn't change the average too much (it goes down from 14 to 12 hours).

12 of 48 respondents reported less than the 10 basic hours per week assumed in the current pay formula.

Q2 If you hold a special role(s), how many hours does that take?

The hours quoted range from 3 to 33 per week as you'd expect from the wide range of roles.

Both holders of the role of Chair of Climate Emergency Advisory Committee (which we are considering adding a new SRA for) responded. One said 30 hours and the other 20 hours per week.

Q4 What is an acceptable percentage of time to be unremunerated?"

The average response was 28% and 33 of 39 respondents thought it should be **under** the current 40%. 5 of the 48 respondents thought 50% and one thought 75% should be unremunerated.

Q5 The present Basic Allowance is £5,084. Is this appropriate?

56% felt the current level is appropriate. There is a difference between the two councils: in VOWH, 68% think it appropriate but in SODC the percentage is 43%.

Note: For Q6 "What do you think it should be?" there were too few clear answers to summarise. I've also not summarised the useful responses to Q12: "Do you have any other comments on Members' Allowances". One was "To be an elected councillor is a privilege and because I am retired I don't need the allowance. People in work and sacrificing work/family time do need it.". In Q5, we are asking people who **did** choose to stand as councillor if they feel the basic allowance is appropriate.

Q7 Special Responsibility Allowances Ranking

The results for VOWH and SODC were very similar and I combined the two surveys and averaged the rankings.

The only SRA with a perceived ranking from the survey different by more than 3 places to the ranking of the current allowances was the Chair of the Joint Audit and Governance Committee. This was ranked 7th equal in the survey but is currently one of the lowest 4 in terms of current pay. Note: 7th in pay would be somewhere between £2,033 (8th highest) and £3,050 (7th highest) rather than the current £1,526 for that role.

Q8 Would you like to see any changes made to these SRAs?

The comments can be summarised as:

Comment	Respondents
Planning Chair higher	5
Audit and Scrutiny Chair higher	4
Leader higher	3
Chair of opposition higher	3
Chair of opposition lower	1

The comments match the difference in perceived ranking and current pay for the Chair of Joint Audit and Governance Committee. The Planning Chair perceived ranking was fourth, which the same as the current pay ranking (after the Leader on £20,334, Deputy Leader on £14,234 and Cabinet Members on £10,166). There is then quite a gap down to the Planning Chair allowance of £6,101.

Q9 Would you like to see any new SRAs introduced?

Suggestion	respondents
Members of planning committee	8
Chair of Climate Emergency Advisory Committee	6
Vice Chair of Climate Emergency Advisory Committee	3
Shadow Cabinet positions	1

Comments on the planning committee workload mentioned the reading needed and the site visits. The role of **Vice** Chair of Climate Emergency Advisory Committee is mentioned (as well as the Chair).

Q10 Dependent Relative Care - Should these rates be increased?

District	Yes%	No%
SODC	29%	71%
VOWH	40%	60%
Overall	35%	66%

27 of 41 (66%) felt that Dependent Relative Care rates should not be increased.

Vale of White Horse Council Motions – May 2019 to Present

Date	Motion	Substantive Actions Required	Progress
17 July 2019	<p>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.</p> <p>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.</p> <p>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.</p> <p>Council notes that the increased carbon emissions, damage to our countryside and biodiversity associated with road building would be significant.</p> <p>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.</p> <p>Therefore, Council resolves to oppose the Oxford to Cambridge Expressway as proposed.</p> <p>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.</p> <p>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 action be taken:</p> <ul style="list-style-type: none"> • 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. 	<p>Vale are opposed to the Oxford Cambridge expressway</p> <p>The Leader of the Council will write to the Minister for Transport, Ed Vaizey and Layla Moran.</p>	Letters Sent
17 July 2019	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	The Leader of the Council will write to	Letters Sent

and locations for new housing to meet the unmet need of Oxford City.

Council notes that the inspector (in para 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 para 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 para 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.

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'.

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.

Council notes that para 137 of the NPPF requires Green Belt boundaries to only be modified under exceptional circumstances. The inspector for Vale LPP2 says (in para 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 para 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.

Council notes that CPRE 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

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

the Secretary of State, Ed Vaizey and Layla Moran regarding Local Plan Part 2 and Oxford's unmet need

	<p>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.</p> <p>Council therefore requests the Leader of the council to write to the Minister for Housing, Communities and Local Government to:</p> <ul style="list-style-type: none"> • 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. • 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. • 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. • 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. • 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 para 137 of the NPPF, and the Plan removes Dalton Barracks and Shippon from the Green Belt without the exceptional circumstances that the regulations require. <p>And to write to our two local Members of Parliament, explaining the situation and asking them for their support.</p>		
17 July 2019	<p>Council resolves to remove the current 'vision' of the council "taking care of your interests throughout the Vale with Enterprise, Energy and Efficiency" and develop a new vision statement that better reflects this council's priorities as part of the work on our new corporate plan.</p>	<p>Removal of current vision and replacement with one that better reflects the Council's priorities</p>	<p>A new vision statement has been created by Cabinet as part of the Corporate Plan 2020-24 development and will be communicated as part of that process. Officers advised and updated via team meetings and one to ones of the removal of the previous vision.</p>
9 Oct 2019	<p>Council notes that a hierarchy of organisations has grown up which influence regional development, some more accountable than others. These are collectively making increasing incursions into the decision-making abilities of elected local councils and placing significant growth demands on our districts.</p> <p>These organisations or bodies include:</p> <ul style="list-style-type: none"> • England's Economic Heartland • The Oxford-Cambridge Arc Region 		<p>All relevant officers advised and updated via team meetings and one to ones, to ensure that engagement with partners reflects this position.</p>

- The Oxfordshire Growth Board (and associated Oxfordshire 2050 Joint Statutory Spatial Plan)
- OxLEP (and the Local Industrial Strategy)

Council notes that officers and members attend meetings related to these bodies, and welcomes the opportunity for regional collaboration, as many of us share the same concerns, but wishes to update its formal position to assist those representing our district.

This Council believes that development within our district must balance the needs of people and their communities, the environment and the local economy. Specifically, it should contribute to this Council's (and the Government's) commitment to carbon neutrality.

It should be based on genuine consultation and demonstrable public support.

It should ensure that infrastructure, both strategic and local, is in place to support development, with the aim of building communities, not just houses.

This Council supports the following approaches in relation to regional economic growth:

- Planned development should demonstrate how it will help our economy move towards its zero-carbon target
- Housing targets should be based on an up-to-date objective assessment of need
- Planned housing should reflect the needs of the local community, offering a range of sizes and tenures including genuinely affordable housing to buy, and rent at affordable and social rates
- Housing developments should be sited near to existing or proposed public, mass and active transport facilities, not based on ever increasing road traffic
- Seek greater developer contributions to expand rail capacity and bus services and cycle paths
- All housebuilding and other development should meet zero-carbon standards or better.
- Strategic planning should reduce the need to travel by building homes near to employment sites
- The priority for transport investment should be in the rail network (e.g. an electrified East-West rail, electrification of the Didcot-Oxford line, re-opening of Grove Station), improved bus (and similar) services, and substantial investment in 'active travel' – including cycle and pedestrian infrastructure - within and between settlements
- Opposition to the proposed Oxford-Cambridge Expressway
- Increasing biodiversity, protecting landscapes, capturing carbon naturally and increasing access for residents to green spaces
- Genuine consultation with the public on the rate of growth and housing development to produce plans that carry genuine public support
- Genuine democratic accountability and scrutiny for any plans or strategies that come

	<p>forward (i.e. we do not support basing spatial planning solely on the Local Industrial Strategy which faced no democratic scrutiny.)</p> <ul style="list-style-type: none"> • Spatial planning decisions to be informed by strong evidence • Flexibility in plans and strategies in order to take account of changing circumstances and public opinion <p>This Council is positive about working with other Oxfordshire authorities, regional colleagues and the Government to deliver growth where it is sustainable, and to provide housing that meets residents' needs. Strategies and plans to achieve this should be based on the above positions.</p>		
9 Oct 2019	<p>The Vale of White Horse District Council welcomes the progress made on climate change in as much as Environmental, Social and Governance issues are now recognised as a risk to the Oxfordshire Local Government Pension Scheme. However, it would now like matters to be taken further.</p> <p>Council requests that the Leader writes to the Chair of the Oxfordshire Pensions Committee asking them to consider as part of its new investment strategy for the Brunel Partnership investing in a passive low carbon fund, now that one is available, and that generates similar financial returns to the wider investment market.</p>	Letter from the Leader of the Council to the Oxfordshire Pension Fund	Letter Sent
9 Oct 2019	<p>Council notes that Non-UK EU nationals are part of our shared communities. They are our husbands, wives, parents, friends and colleagues. They are an integral part of our vibrant and thriving district and local economy.</p> <p>Since 2016 EU nationals were promised again and again that "there will be no change for EU citizens already lawfully resident in the UK and [...] will be treated no less favourably as they are at present". After three years of living in limbo, their homes and livelihoods are yet again being threatened by the further uncertainty brought about by the prospect of a chaotic no-deal Brexit.</p> <p>Council recognises that some businesses in the Vale report that the uncertainty around Brexit is making it harder for them to recruit and retain staff who are non-UK EU nationals.</p> <p>Council notes that much work has been undertaken, and significant cost to the public purse, by this council and other public bodies to ensure it can maintain access to key services, should Brexit happen.</p> <p>But, according to the Home Office's June statistics, only a third of non-UK EU nationals had applied for Settled Status and many of them had been granted the inferior Pre-Settled. There is no way of knowing exactly how many EU nationals need to apply, leaving vulnerable non-UK EU nationals at risk of becoming unlawful residents. Lack of clarity regarding differentiating between EU citizens arriving before and after the UK's exit from the EU could lead to discrimination in the labour market and may prevent many from accessing the services that they are entitled to.</p>	<p>Report to the Leader of the Council</p> <p>Letter to the Secretary of State</p>	<p>An open letter from the Leader of the Council to EU residents was published on the Vale of White Horse website and sent to all EU citizens in the district giving them advice on how to apply for settled status. There were 2662 letters sent.</p> <p>An officer group is in place to monitor Brexit activity and discuss any additional mitigating actions that may arise from service area risk registers.</p> <p>There is a dedicated website page for the EU Settlement Scheme - http://www.whitehorsedc.gov.uk/services-and-advice/community-advice-and-support/brexit-%E2%80%93-advice-residents/brexit-adviceeu-national</p> <p>Promotional materials were displayed</p>

	<p>Therefore, Council asks that:</p> <ul style="list-style-type: none"> • Officers prepare a report to the Leader (to be shared with all members) on what more the Council may be able to do to mitigate adverse impacts on the rights of non-UK EU nationals (including but not limited to, informing landlords and employers about immigration status and therefore avoid potential discrimination against non-UK EU nationals) • The Leader of the Council writes to the Home Secretary to ask that the current European Settlement Scheme is clarified by: <ul style="list-style-type: none"> i. Providing a clear deadline for application to the EUSS in case of no-deal exit from the EU ii. Providing physical proof of settled status that can be used to access services iii. Confirming that there will be no changes to the rights of settled non-UK EU citizens that they currently have by ratifying the Immigration Bill as primary legislation before the exit day 		<p>within reception area, signposting to local ID verification services and national guidance for EU citizens.</p> <p>A briefing note was circulated to members In January 2020 to provide an overview of both national, Oxfordshire and council Brexit activity.</p>
9 Oct 2019	<p>Council notes that the re-routing arrangements for scheduled closures of the A34 in southern Oxfordshire are creating a totally intolerable blight on the lives of many of the residents of Wantage, Charlton Ward and further afield. These closures, which typically operate between 10pm and 6am, re-route traffic on to the A338 and the A417. In the 3 months to the end of October 2019 closures will have occurred on 25 occasions. Council further notes that the consequence of these arrangements is to divert very high volumes of traffic, much of it heavy commercial, from a Designated Primary Route to minor roads, occasionally single lane, not considered suitable for heavy traffic in built up residential areas. Residents of impacted houses report that this creates intolerable noise, sleep deprivation and vibration and structural damage to properties, as many of their homes are only a matter of feet away from the highway. Council is also aware that the diversions create significant road safety issues and that damage has occurred to Infrastructure and other vehicles.</p> <p>Council is aware that alternatives exist, including re-routing via a designated Primary Route or introducing a contraflow system on the A34 itself. Furthermore, Council is concerned that any future re-routing scheme may be ineffective due to increased use of satellite navigation systems which could risk the use of rat runs.</p> <p>Therefore, Council requests that the Scrutiny Committee consider including this matter in their work programme, noting that Scrutiny has the power to invite parties such as Highways England, OCC, Thames Valley Police, Kier Group plc and Wantage Traffic Diversion Group to attend any such meeting.</p>	Scrutiny Committee should consider adding this matter to its work programme.	Scrutiny Committee has added this issue to their work programme
18 Dec 2019	<p>In the context of the Climate Emergency, this Council welcomes the Government's review of fracking and its potential environmental impacts. Council urges Government to move towards a position of banning fracking altogether. Quite apart from the many environmental concerns, developing yet one more carbon-based fuel flies in the face of our ambition to strive for carbon neutrality.</p>	Council commits to exploring planning policies which positively encourage all renewable sources	Relevant officers advised and updated via team meetings and one to ones, to ensure that engagement with partners reflects this position and Cabinet Member for Planning retains a focus on this in their

	<p>Council notes that onshore wind is the lowest cost low-carbon technology currently available, yet the Westmill Wind Farm at Watchfield remains the only onshore wind farm in the whole of the Vale of White Horse. This situation is being exacerbated by the Government making their 'Contracts for Difference' funding available for offshore wind farms but excluding onshore.</p> <p>Council notes that, while Government has looked on solar energy production more favourably, there remains huge untapped potential within the Vale to generate energy through Solar PV.</p> <p>Council therefore commits to exploring planning policies which positively encourage all renewable sources of energy including onshore wind farms as part of the next Vale Local Plan and Oxfordshire Plan 2050.</p>	<p>of energy including onshore wind farms as part of the next Vale Local Plan and Oxfordshire Plan 2050</p>	<p>regular meetings with officers – as do our Economic Development Team in discussions with OxLEP and others</p>
18 Dec 2019	<p>Council notes the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism is the most widely accepted and recognized definition of anti-Jewish racism. It states that: Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.</p> <p>Council notes the All Party Parliamentary Group on British Muslims (APPG) definition of Islamophobia: Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness. Council notes that by using these definitions it helps understand, identify, and tackle antisemitism and Islamophobia. Council holds the right to freedom of speech and freedom of religion are fundamental but freedom of speech is not freedom to demonise, scapegoat and discriminate.</p> <p>Council resolves to:</p> <ul style="list-style-type: none"> condemn all hate crimes and deplores the rise in hate crimes against members of the Jewish and Muslim communities in Britain condemn all inflammatory rhetoric in political discourse: including antisemitic and Islamophobic tropes used by politicians and public servants. adopt the IHRA definition of antisemitism in full and without amendment adopt the APPG definition of Islamophobia in full and without amendment. ask officers to update this council's equality policies to this effect 	<p>Adopt the IHRA definition of antisemitism in full and without amendment</p> <p>Adopt the APPG definition of Islamophobia in full and without amendment.</p> <p>Ask officers to update this council's equality policies to this effect</p>	<p>Motion forwarded to the Council's Equality Officer.</p> <p>Council policies updated.</p>
18 Dec 2019	<p>Council:</p> <ul style="list-style-type: none"> Believes that young people should be allowed a say over their future. Recognises that 16- and 17-year olds are knowledgeable and passionate about the world in which they live and are as capable of engaging in the democratic system as any other citizen. Notes that there is currently an unequal situation across the United Kingdom, with 16- and 17-year olds having voting rights in Scotland and Wales that are not available to them in England and Northern Ireland. 	<p>That the Leader write to relevant Ministers and local MPs.</p> <p>Asks the ERO/ RO to consider participating in any</p>	<p>Letters sent and relevant officers advised and updated via team meetings and one to ones, to ensure that engagement with partners reflects this position.</p>

	<ul style="list-style-type: none"> • Supports the need for greater engagement with young people, leading to greater involvement of young people in the decisions that affect their community. • Believes that lowering the voting age to 16, combined with strong citizenship education, would empower young people to better engage in society and influence decisions that will define their future. • Believes that people aged 16 and 17, who can consent to medical treatment, work full-time, pay taxes, get married or enter a civil partnership and join the armed forces, should also have the right to vote. • 7. Recognises and supports the ongoing 'Votes at 16' campaign by the British Youth Council, the UK Youth Parliament and other youth organisations, supported by thousands of young people across the UK. • 8. Calls for 16- and 17-year olds to have the right in all elections and referendums across the UK. <p>Council therefore:</p> <ul style="list-style-type: none"> • Requests that the Leader write to relevant Ministers and local MPs: expressing this Council's support for the Votes at 16 campaign; calling for the extension of the franchise to 16- and 17-year olds in all elections and referendums across the UK; • and asks the ERO/ RO to consider participating in any pilot scheme. 	<p>pilot scheme</p>	
<p>Dec 2019</p>	<p>Council notes:</p> <ul style="list-style-type: none"> • that confidence and trust in both Parliament, the UK's democratic system and politicians has been falling for some time. • that the House of Commons and council chambers have long been unrepresentative of the votes cast by the electorate of the United Kingdom. • that the UK's First Past the Post voting system curtails voter choice, makes millions of votes ineffective, and leaves millions feeling unrepresented. <p>Council believes:</p> <ul style="list-style-type: none"> • that these factors have contributed to dangerous levels of distrust and disillusionment with our democratic process • that democracy is distorted and failed by the fact that, due to this system, barely half of voters now feel able to cast their vote for their preferred candidate or Party. • that it is essential that faith is restored in our democratic system and that the public see Parliament as fairly reflecting their views. • that our First Past the Post voting system is a significant barrier to restoring this faith and all but guarantees that the balance of opinion among the electorate is not reflected in Parliament and our council chambers. • that a system of Proportional Representation in which seats match votes at all levels, including councils, and in which all votes count equally, would help to rebuild public trust by ensuring that political views are represented. 	<p>That the Leader writes to the relevant government minister and our two local MPs.</p>	<p>Letters sent and relevant officers advised and updated via team meetings and one to ones of the Councils' position.</p>

	<p>Therefore:</p> <ul style="list-style-type: none"> • Council requests that the leader write to the relevant government minister and our two local MPs setting out our position and requesting that all elections be run using a form of Proportional Representation in which all votes count equally and seats match votes. 		
<p>18 Dec 2019</p>	<p>"In March 2017 this council voted to support 'Better Oxfordshire'; a proposal to create a unitary authority.</p> <p>The unitary authority outlined in the 'Better Oxfordshire' submission was for a single authority based on the current County Council boundary. Oxfordshire County Council and South Oxfordshire District Council also took formal decisions to support the submission of this proposal.</p> <p>The proposal was sent to the Secretary of State for approval, however, no further action has been taken. The proposal was submitted under legislative provisions containing a sunset clause, which expired in March 2019, meaning that at this time the proposal is not under active consideration.</p> <p>However, over the past six months, Robert Jenrick MP, in his role as Secretary of State for Housing, Communities and Local Government, has spoken publicly about an approach that could mean the end of smaller District Councils. He has also committed to a new push for devolution and raised the potential for further local government reorganisation. Additionally, these themes feature in all the main political parties' General Election manifestos.</p> <p>In light of the above, with a new Council administration, and the significant financial uncertainty this council faces due to the delayed spending review, Council now wishes to clarify its position in relation to local governance models for Oxfordshire.</p> <p>Council therefore confirms that it:</p> <ul style="list-style-type: none"> • Recognises that much of the financial and economic data and analysis that underpinned the 'Better Oxfordshire' submission is now out of date; • Remains open to considering a new unitary proposal in principle, assuming it is able to secure appropriate local public support. A new unitary proposal may be based on a whole Oxfordshire basis as with the original unitary proposal or may differ, i.e. comprising different boundaries better representing local communities; and • Restates its opposition to a "combined authority" based on the Oxfordshire County boundary or a Mayoral lead authority model of devolution. <p>Council asks officers to ensure that any future unitary proposal impacting the Vale of White Horse:</p> <ul style="list-style-type: none"> • addresses the significant financial challenge faced by local government, as evidenced within in our Medium Term Financial Plan and those of other Oxfordshire Councils; • reflects a logical geography, • delivers increased value for money; and 	<p>Officers make contact with the MHCLG to explore the approach the new Secretary of State will take to any proposals for unitary based reorganisation</p> <p>A report on this matter is brought to full council, by the Chief Executive and Leader, outlining their understanding of the new Government's intentions by Summer 2020</p> <p>Officers bring forward proposals for the Vale of White Horse to consider a formal merger with South Oxfordshire District Council, with the same total number of District Councillors, creating a single district council based on their</p>	<p>An SMT briefing paper was reviewed on 5 December 2019. It outlined the process and considerations for a merger proposal and provided some case studies from other Councils. MHCLG officials indicate that these criteria may change in the forthcoming White Paper.</p> <p>Visits to East Suffolk and Babergh and Mid Suffolk Councils were also made by the Acting Deputy Chief Executive – Partnerships, in January 2020 to discuss experiences of merging and attempting to merge.</p> <p>MHCLG officials have been contacted and a meeting between all Oxfordshire Leaders, CEs and officials held.</p> <p>A joint letter is to be sent by all Oxfordshire Leaders and OxLEP Chair to the SoSs MHCLG and BEIS requesting a meeting regarding options that may be possible within the forthcoming Local Recovery and Devolution White Paper.</p> <p>Outside of this process, MHCLG officials advise that individual requests or suggestions for structural change will not be considered at this time.</p> <p>A paper and report will be brought forward as soon as possible following any meeting that is held with the SoS or MoS and/or once the Local Recovery and Devolution White Paper is published,</p>

	<ul style="list-style-type: none"> creates a Council of an appropriate size, that can think and act strategically whilst ensuring meaningful decision making is brought closer to communities <p>Council requests that:</p> <ul style="list-style-type: none"> officers make contact with the MHCLG to explore the approach the new Secretary of State will take to any proposals for unitary based reorganisation; a report on this matter is brought to full council, by the Chief Executive and Leader, outlining their understanding of the new Government's intentions by Summer 2020; and officers bring forward proposals for the Vale of White Horse to consider a formal merger with South Oxfordshire District Council, with the same total number of District Councillors, creating a single district council based on their combined geography with increased financial resilience. 	combined geography with increased financial resilience.	whichever is the sooner. Relevant officers are briefed on the Councils position and are engaging with partners and Government to make them aware of Vale's views regarding some of the outcomes any Unitary proposal should achieve.
12 Feb 2020 Page 162	<p>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.</p> <p>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.</p> <p>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.</p> <p>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</p>	Letters from the Leader of the Council to the Minister and the two local MPs	Letters sent and relevant officers advised and updated via team meetings and one to ones, to ensure that engagement with partners reflects this position.

	<p>has been granted.</p> <p>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:</p> <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> i. The introduction of a national taxi licensing database; ii. Some form of cross border enforcement for local authorities; iii. National minimum standards for licenses. • The Government should provide an update in respect of how they propose to deal with cross-border working; 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". 		
<p>15 July 2020</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 163</p>	<p>Council notes that when a councillor is asked a question or a follow up, the constitution states that the response should be published within five days. It is only right that all communications from ministers or government departments that either thank officers and councillors for their hard work on behalf of residents or bring up any shortcomings or failures of the council are published in a similar way. This seems only fair to our residents and would help us further abide to the principles of Objectivity, Accountability and Openness that The Nolan Principles demand.</p> <p>Therefore Council requests that all future official central government correspondence to and from the Vale of White Horse District Council is published within five working days so that there is openness and transparency in how central government correspondence influences decisions we make for our residents and that any embargoed or confidential correspondence is circulated to councillors in the same timeframe.</p>	<p>All future official central government correspondence to and from Vale of White Horse District Council is published within five working days (any embargoed or confidential correspondence is circulated to councillors in the same time frame)</p>	
<p>15 July 2020</p>	<p>That this Council recognises the excellent work of all local government staff across Oxfordshire during the COVID-19 crisis. Councils have worked together in difficult times, showing that organisational barriers to joint working can be overcome.</p> <p>All Councils have gone the extra mile in delivering services to our residents that prioritise the most vulnerable. This has inevitably incurred additional costs.</p> <p>This Council acknowledges the failure of additional Government funding to date to fully compensate for financial losses. We have a duty to respond to the national financial challenge ahead and to be open with residents.</p> <p>All councils across Oxfordshire are now considering how they can balance budgets and protect</p>	<p>The Leader of the Council should continue working with other Oxfordshire Council leaders and OxLEP on the issue of local government reorganisation.</p> <p>A conversation</p>	<p>The delay of the White Paper means that there is no clear, formal direction on HM Government's intentions regarding local government reform and devolution. This, therefore, will inhibit activities relating to this motion. Conversations about the future of local government in Oxfordshire have, nevertheless, been held with other council leaders and OxLEP.</p>

	<p>frontline services. No Councillor nor party wants to see drastic cuts to vital Council services, but in some cases this may be inevitable.</p> <p>Further to the motion passed at the December 2019 Council meeting, Council calls on the Leader to continue working with other Oxfordshire Council Leaders and OxLEP and start a conversation with residents and other stakeholders to consider possible options for a Unitary Authority or unitary authorities for Oxfordshire should the government bring forward the expected white paper on Recovery and Devolution later this year or the financial position of one or more council make this essential. Our priorities in any new structure would include; safeguarding and improving local services, moving decision making closer to residents, simplicity for residents, increased democratic accountability for elected members, greater transparency, and positive impact on the climate emergency.</p>	<p>should be started with residents and other stakeholders to consider possible options for a Unitary Authority or unitary authorities for Oxfordshire should the government bring forward the expected white paper on Recovery and Devolution.</p> <p>Any reorganisation should take account of Vale's priorities.</p>	
<p>July 2020</p>	<p>That this Council notes that the latest data show the number of COVID 19 deaths per 1,000 Care Home beds in the Vale of White Horse to be almost twice that of the average of local authorities across the UK.* This picture is reflected across the majority of Oxfordshire's District Councils.</p> <p>We also note that the County's rate of COVID 19 infection to be close to the average of local authorities, so the anomaly highlighted above is not explained by a higher general infection rate. We further note Oxfordshire is listed as the 6th worst Local Authority in England for the percentage of care homes which have experienced an outbreak of COVID 19 with 73% of all care homes affected.**</p> <p>As the first serious phase of the pandemic recedes, we owe it to all those who have died, their relatives and all those that have worked hard throughout the pandemic to determine the reasons for these significant anomalies.</p> <p>Council therefore asks the Leader of the council to request the Chair of the Joint Health and Overview Scrutiny Committee of Oxfordshire County Council to convene a meeting with the aim of setting up a rapid and transparent Task Force to analyse and ascertain the reasons for the observed excess deaths and infection rates in Oxfordshire's care homes during the previous three months. Such a review would allow lessons to be learnt and recommendations to be made to reduce both future COVID 19 infections and subsequent deaths, as well as the additional pressure this puts on local public services and the economy.</p>	<p>Letter from the leader of the Council to the Chair of the Joint Health and Overview Scrutiny Committee</p>	<p>An initial letter was sent to the Chair of the Joint Health and Overview Scrutiny Committee – a follow-up was sent in October – this second missive was copied: to Chief Executive South Oxfordshire and Vale of White Horse, Director of Public Health, Chief Executive Oxfordshire County Council, Health Overview and Scrutiny Committee Support Officer, Chief Executive Oxford University Hospitals NHS Trust, Corporate Director Adults and Housing Services (Oxfordshire County Council)</p>
<p>15 July</p>	<p>That this Council notes that:</p>	<p>The Cabinet</p>	<p>Letters were sent to the Leader of</p>

- The Council has declared a Climate Emergency and set a goal to achieve a carbon-neutral District by 2045.
- Towns in this District suffer from traffic congestion and, consequently, poor air quality.
- Low levels of physical inactivity contribute to poor health outcomes for many residents in this District.
- All three of the above challenges can be addressed, in part, by encouraging more residents to use active travel more often.
- During the recent COVID-19 lock-down, levels of active travel increased significantly with some bicycle retailers seeing nearly 200% increase in sales (1) and air pollution fell by 60% in some places. Many residents remarked how pleasant it was.
- As we come out of lock-down, however, the situation may revert to status quo unless bold an ambitious action is taken towards a new normal.
- There is a groundswell of public enthusiasm for creating a new and different normal and an available resource in volunteer groups willing become involved.
- New developments, such as Didcot Garden Town, present ideal opportunities to incorporate and showcase a new normal for active travel networks.
- While people usually adopt active travel for recreational purposes, the primary goal is to reduce car usage in day-to-day activities. Active travel networks need, therefore, to be coherent, direct, safe, comfortable and attractive connectors between:
 - i. Oxford and surrounding towns and villages as proposed in the Oxfordshire Greenways Project,
 - ii. Towns and villages themselves,
 - iii. Towns and villages and the Science Parks as in the Science Vale Cycling Network, and
 - iv. Residential areas and places of employment and retail within towns as proposed in Local Cycling an Infrastructure Plans (LCWIPs)

While not strictly a form of active travel, this Council recognises the benefits of e-scooters and includes them under a broader definition of active travel that also includes e-bikes.

This Council therefore:
calls upon the Cabinet to:

- Include policies to enhance active travel outcomes across the district as part of the new Vale Local Plan and more urgently as part of the Design Guide.
- Include active travel as part of the proposed new Active Communities Strategy.
- Actively engage with the County’s consultations on their emerging Local Transport and Connectivity Plan to ensure the County are better aware of this Council priorities.

calls upon the Leader of the Vale to write a letter to Leader of County Council, Cabinet Member for the Environment and the Walking and Cycling Champion asking them to:

- Prioritise quality control of all active travel infrastructure in accordance with the Oxfordshire Cycling Design Standards, ensuring all proposals are audited for safety and encouragement

should:

Include policies to enhance active travel outcomes across the district as part of the new Vale Local Plan and more urgently as part of the Design Guide.

Include active travel as part of the proposed new Active Communities Strategy

Actively engage with the County’s consultations on their emerging Local Transport and Connectivity Plan to ensure the County are better aware of this Council priorities.

Letters from the Leader of the Council to the Leader of County Council, Cabinet Member for the Environment and the Walking and Cycling Champion

County Council, Cabinet Member for the Environment and the Walking and Cycling Champion on the promotion of Active Travel.

	<ul style="list-style-type: none"> of active travel. • Review their Parking Standards considering the risks poor car parking poses to people on cycles and pedestrians. • Establish systems for the County to work with Town and Parish Councils to identify CIL funding that could be used to enhance cycle ways and footpaths that link with new routes within new housing development • Continue to resource the work on the Science Vale cycle network and expand this work planning cycle networks within the designated Science Vale area across the Vale of White Horse District. • Continue to resource the Oxfordshire Greenways project. • Expedite the development of Local Cycling and Walking Infrastructure Plans (LCWIPs) for all towns and parishes in the Vale District, engaging with local cycling and walking group volunteers to undertake the preliminary groundwork. • Work with our towns and parishes to identify local needs in addition to sources of funding to implement their LCWIPs. • Fast-track bold and ambitious measures in our towns and parishes to make social distancing possible at pinch-points and consider these measures permanent rather than temporary. 		
<p>July 2020</p>	<p>That Council notes that since early March the Covid-19 pandemic has had an unprecedented impact on our district and the country. At least 120 have lost their lives. Many have been seriously ill and are still fighting the virus.</p> <p>Local businesses have and will continue to suffer the economic impact of this pandemic and young people have had disruption to their education and employment prospects damaged by the resulting lockdown.</p> <p>Council recognises the huge effort of our officers during the period. Adjusting to working remotely, volunteering to go beyond the day to job to help support shielded people and those isolating and working long hours to keep vital council services running. Council also recognises the quick establishment of new ways of working with community groups and responding incredibly quickly to the demands made of us as part of the Thame Valley Local Resilience Forum operation to protect the NHS.</p> <p>Council thanks and recognises the huge response from every town, village and hamlet to put in place an infrastructure to help. It is the feet on the street and the community effort that has truly helped look after all elements of the community across the Vale.</p> <p>Council thanks every officer for the heroic part they have played, and will continue to play, helping residents in need of support through this dangerous and uncertain time.</p>		
<p>7 Oct 2020</p>	<p>"This Council notes:</p>	<p>The Council takes part in the</p>	<p>Vale of White Horse submitted a detailed response to the proposed consultation -</p>

<p>The publication by Government of the White Paper, 'Planning for the Future' on 6 August 2020, which set out proposals on reforms to the planning process for the future, falsely frames the problem in housing supply as an issue resulting from council limitations.</p> <ul style="list-style-type: none"> • That the vast majority of planning applications are given the go ahead by local authority planning committees, with permission granted to around 9 out of 10 applications. • That research by the Local Government Association has said that there are existing planning permissions for more than one million homes that have not yet been started. • As of the 1 April 2020 there is permission for 10,843 (or full permission for 5,055 number) homes in the Vale that have not yet been built. Construction has only started on site for 40% of these (or equivalent 85% for those with full permission). <p>This Council is concerned that the proposals in the White Paper seek to:</p> <ul style="list-style-type: none"> • Reduce or remove the right of residents to object to applications near them. • Grant automatic rights for developers to build on land identified as 'for growth'. • Remove section 106 payments for infrastructure and their replacement with a national levy. <p>This Council further notes:</p> <ul style="list-style-type: none"> • The Royal Institute for British Architects called the proposals 'shameful and which will do almost nothing to guarantee delivery of affordable, well-designed and sustainable homes'. RIBA also said that proposals could lead to the next generation of slum housing. • The Local Government Association and District Councils Network are both working on responses to reflect the serious concerns raised by their member councils from across the country. <p>This Council believes:</p> <ul style="list-style-type: none"> • That existing planning procedures, as currently administered by our own team in Vale of White Horse, allow for local democratic control over future development, and give local people a say in planning proposals that affect them. • That proposals for automatic rights to build in 'growth' areas, and increased permitted development rights, risk unregulated growth and unsustainable communities. • That local communities must be in the driving seat on shaping the future of their communities, and local determination of the planning framework and planning applications play an important part in this process. <p>This Council resolves to:</p> <ul style="list-style-type: none"> • Take part in the consultation in the planning proposals, and to make representations against the proposals in the areas outlined in this motion. • Write to both of our Members of Parliament explaining the position of Council on these proposals, urging them to support the intentions of this motion by objecting, where necessary to those proposals, and for any reply from them to be placed on the council's 	<p>consultation in the planning proposals, and to make representations against the proposals in the areas outlined in this motion.</p> <p>The Leader should write to both of the Vale's Members of Parliament explaining the position of Council on these proposals.</p> <p>The Vale highlights its concerns over these proposals with the public and local residents".</p>	<p>this was publicised on the council's website. The Vale has made clear its concerns over the current proposals.</p> <p>Letters were drafted to both Members of Parliament.</p>
---	---	--

	<p>website.</p> <ul style="list-style-type: none"> • Highlight its concerns over these proposals with the public and local residents”. 		
<p>9 Dec 2020</p>	<p>Council notes the growing popularity of wild swimming, paddling, kayaking and paddle boarding in the River Thames and its tributaries and, more importantly, the intrinsic value of clean water and healthy, biodiverse rivers.</p> <p>The UK water companies are permitted to release raw sewage into waterways in specific circumstances, under licence from the Environment Agency. Regulators rely on self-reporting on the part of the water companies and there is no way for river users to know in real time when these Controlled Sewage Overflows (CSO's) happen.</p> <p>In 2017 Thames Water received the largest fine ever handed to a water utility for an environmental disaster after it spilled raw sewage into the Thames, with the judge stating that the company had a history of non-compliance. However, the issue of water cleanliness persists. Data from the River Trust revealed that Thames Water’s sewage treatment works spilled raw sewage into the upper Thames, between Lechlade and Reading, more than 1,300 times in 2019, for 17,000 hours in total. Hundreds of beaches around the UK have Bathing Quality Water status, this ensures that the Environment Agency monitors and reports on water quality throughout the bathing season. Only a handful of inland lakes, and no rivers, have Bathing Quality Water status.</p> <p>Recognising the intrinsic importance of the river Thames as a natural asset of national significance and its value to our communities, this Council:-</p> <ul style="list-style-type: none"> • Asks officers to work with appropriate partners such as the Environment Agency, the Rivers Trust and Surfers against Sewage to begin the process of applying for Bathing Quality Water status for the river Thames in the Vale of White Horse. • Commits to taking part in the meetings of councils from along the River that are being hosted by South Oxfordshire District Council’s Thames Champion, Councillor Jo Robb, to discuss opportunities for our council to join others in promoting and working towards cleaner rivers. • Asks the Leader to write to Thames Water calling on them to (a) draft and implement an action plan for the elimination of CSO’s across its sewage treatment network and (b) to provide accurate, real-time publicly available information about CSO’s into the Thames and its tributaries. • Asks the Leader to write to the Vale’s two MPs asking them to support Philip Dunne MP’s Sewage (Inland Waters) Bill when it has its second reading in Parliament on 15 January 2021. • Aims to build on opportunities to influence Thames Water’s practices – such as our successful application to become a strategic partner in Thames Water’s Surface Water Management Programme for 2020-2025. 	<p>Officers work with appropriate partners begin the process of applying for Bathing Quality Water status for the river Thames in the Vale of White Horse.</p> <p>The Vale commits to taking part in the meetings of councils from along the River that are being hosted by South Oxfordshire District Council’s Thames Champion, Councillor to discuss opportunities for our council to join others in promoting and working towards cleaner rivers.</p> <p>The Leader writes to Thames Water and the Vale’s MPs</p> <p>The Council should aim to build on opportunities to influence Thames Water’s practices.</p>	<p>Letters to Thames Water and the Members of Parliament have been drafted and sent.</p> <p>A response from Thames Water was received on January 20</p>

