

# Council Agenda



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Date: 3 October 2022

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## Summons to attend a meeting of Council

to be held on Wednesday 12 October 2022 at 7.00 pm  
The Ridgeway, The Beacon, Portway, Wantage, OX12 9BY

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

Patrick Arran  
Head of Legal and Democratic

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# Agenda

## Open to the public including the press

### 1. Apologies for absence

To record apologies for absence.

### 2. Declarations of interest

To receive declarations of disclosable pecuniary interests, other registrable interests and non-registrable interests or any conflicts of interest in respect of items on the agenda for this meeting.

### 3. Minutes

(Pages 9 - 15)

To adopt and sign as a correct record the Council minutes of the meeting held on 13 July 2022.

### 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 outturn 2021/22

(Pages 16 - 36)

Cabinet, at its meeting on 30 September, considered the report of the head of finance on the outturn performance of the treasury management function for the financial year 2021/22.

The report of the head of finance, which the Joint Audit and Governance Committee considered on 27 September 2022 and Cabinet considered on 30 September, is **attached**.

**RECOMMENDATION:** to

1. approve the treasury management outturn report for 2021/22;
2. approve the actual 2021/22 prudential indicators within the report.

**8. Adoption of powers from Oxfordshire County Council under Land Drainage Act**

(Pages 37 - 43)

Cabinet, at its meeting on 30 September, considered the report of the head of development and corporate landlord on a request from Oxfordshire County Council (OCC) for the district council to act as an agent of the county council in the discharge of delegated functions for the operation and management of the powers and responsibilities of the lead local flood authority (LLFA) under Sections 19, 23, 24 and 25 of the 1991 Land Drainage Act.

The report of the head of head of development and corporate landlord, which Cabinet considered, is **attached**.

Cabinet resolved to:

- (a) support the request from Oxfordshire County Council for Vale of White Horse District Council to adopt powers under the Land Drainage Act, as set out in paragraph 8 of the head of development and corporate landlord's report to Cabinet on 30 September 2022;
- (b) subject to Council approving the adoption of powers in (c) below, that Cabinet authorises the head of development and corporate landlord, in consultation with the head of legal and democratic, to negotiate and finalise the agreement with Oxfordshire County Council and enter into agreement to adopt the powers from Oxfordshire County Council;

**RECOMMENDATION:** to approve the adoption of powers under an agency agreement with Oxfordshire County Council.

**9. Review of the council's constitution**

(Pages 44 - 144)

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

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

To receive the report of Councillor Emily Smith, Leader of the council.

## **11. Questions on notice**

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

### **1 Question from Councillor Amos Duveen to Councillor Helen Pighills, Cabinet member for Health Communities**

Thinking ahead about the looming winter crisis, is the council looking into providing warm spaces, so called 'warm banks', for people who cannot afford their energy bills?

And, if so, what options are being considered?

### **2 Question from Councillor David Grant to Councillor Debby Hallett, Cabinet member for Corporate Services and Transformation**

With the ending of the sale of new petrol and diesel cars just over seven years away, electric vehicle charging points are now becoming a welcome condition on many planning permissions. At a local new estate, I was disappointed to see developers had installed the bare minimum to meet this condition, using a three-pin socket. Charging a car on these could take up to 20 hours making it impractical to rely on for daily use and preventing residents taking advantage of cheaper electricity rates at night, which the national grid needs them to do to balance electricity demand. These are likely to be ripped out and replaced by anyone who is considering making the switch.

The council has been farsighted enough to install much faster public charging points in our local car parks, but home charging is still the most cost-effective option for residents. Is there anything we can do to insist on a minimum charging speed for new chargers where they are being insisted on as part of the planning conditions?

### **3 Question from Councillor Bob Johnston to Councillor Neil Fawcett, Cabinet member for Strategic Partnerships**

Following the news that the OxPlan 2050 process has come to an end, what will the council do to ensure that our agreed priorities continue to influence planning policy across Oxfordshire?

### **4 Question from Councillor Ron Batstone to Councillor Emily Smith, Leader of the Council**

In July 2021 Council reiterated its commitment to opening Grove station. It asked the leader to write to the Secretary of State for transport to ask for this to be considered as soon as possible.

Can the leader give an update on any response to her letter and the outcome of the bid to the Restoring Your Railways Fund?

**5 Question from Councillor Paul Barrow to Councillor Judy Roberts, Cabinet member for development and infrastructure**

We continue to have an increasing number of incidents of untreated sewage being discharged into our rivers with all the risks to public health from enteric infections and spread of antibiotic resistance. This was discussed at the Full Council meeting in July 2020. It is a problem for the Environment Agency, but much could be done by Thames Water through improved infrastructure to support new housing development.

I would like to know, first, what is being done to ensure that new housing developments incorporate sufficient sewerage (infrastructure) capacity and that this is associated with improved treatment capacity and, second, can we be assured that for all new housing development surface water is separated from foul water and discharged or treated separately?

**6 Question from Councillor Diana Lugova to Councillor Emily Smith, Leader of the council**

As the planning authority, when making decisions about planning applications we must comply with national planning policy and regulations to ensure that development is not harmful to nature and wildlife. I believe our council has ambitions to strengthen local policy to protect and enhance wildlife when planning new development, but I am very worried that recent announcements from the national government about scrapping of environmental laws will make this even harder.

The laws the government have said they would get rid of include the [Habitat Regulations](#) which protect some of our most vulnerable wildlife and green places across England. They also defend our clean water, clean air, and clean rivers.

Would the government's new stated approach mean that our ambitions as a council to strengthen protection and enhancement of wildlife and biodiversity through stronger policies in our emerging Joint Local Plan be undermined?

**7 Question from Councillor Elaine Ware to Councillor Sally Povolotsky, Cabinet member for Climate Change and Environment**

Across the Vale of White Horse, we now have 62 Electric vehicle chargers in the council car parks, thanks to work at all levels of government. Would the Cabinet Member for Climate Change and Environment please provide the information as to:

1. The total usage of EV Chargers from each car park since installation
2. Loss of income from parking bays now occupied by EV charger installations
3. Income received by the council from the use of the chargers.

## **12. Motions on notice**

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

### **Motion 1. Delayed Waste Services Guidance**

#### **Motion to be proposed by Councillor Sally Povolotsky, seconder to be notified**

Council notes that:

1. Under the Environment Bill, there are due to be significant changes in waste and recycling policy, as well as the introduction of a deposit return scheme.
2. It is expected that DEFRA will require the majority of the planned reforms to come into effect from 2025, but the guidance councils need to put this in place has not yet been issued.
3. Our current waste contract runs until 2024. This council, like many others, are unable to commission or plan new waste services in line with the Environment Bill without detailed information about what is expected and how it will be funded.
4. The Local Government Association wrote to the previous environment minister, highlighting growing disquiet within the sector because of the lack of guidance.
5. The Local Authority Recycling Advisory Committee (LARAC) concluded that continuing delays and uncertainty means that investment is not being “unlocked” and local decisions are being stalled.

Therefore, Council resolves to

6. Support the aims in the Environment Bill to reduce waste and encourage reuse as well as recycling.
7. Ask the leader to write to the new environment minister, copied to our two local MPs, to:
  - a. ask for the guidance we need to plan our waste services to be issued urgently.
  - b. express this council’s concern about the risk the current delay creates to local household waste services and our impeccable record as one of the UK’s top district councils for waste recycling.
  - c. back the request made by LARAC that the industry needs at least a year’s advance warning to budget for operational changes, and up to five years to deliver infrastructure changes.

### **Motion 2. Support for Struggling Local Businesses**

#### **Motion to be proposed by Councillor Hayleigh Gascoigne, Seconded by Councillor Neil Fawcett**

We are living through a Cost of Living crisis, which is affecting individuals, families and businesses in the Vale and across the UK. This is being driven by food price inflation, up a record 13.1%\* and energy price inflation. Small businesses have been particularly affected by rising energy, affecting their viability.

Data published by the Federation of Small Businesses (FSB) shows that nearly 53% of small companies expect to stagnate, downsize or fold in the next year. Many were taken to the brink of collapse during the pandemic and desperately need a period of stability and prosperity to recover. Businesses such as restaurants and pubs, which experienced

greater challenges during the pandemic, now face even greater problems.

Even with the Government price cap support, energy prices will be double what they were last year for domestic users and for businesses, the cap only lasts for six months. The capped electricity costs 30% higher than 2021 for small businesses, and gas prices are 147% higher.

People will have less disposable income to support our local businesses during this crisis and the many businesses that were taken near to collapse during the pandemic desperately need a period of stability and prosperity to flourish. The short-term energy price cap will not provide this.

During the covid-19 pandemic, this council processed and gave out £37.2 million of covid grants to help businesses in our district. We also offered advice and networking opportunities through services such as 'South and Vale business support'.

Council therefore resolves to:

1. Request that the Leader write to the relevant minister(s) asking them to:
  - a) reconsider the short length of the business energy cap period and to look at additional ways to provide direct support to specific business sectors such as pubs and restaurants.
  - b) accelerate and provide further renewable energy grants to enable businesses to more affordably transition to non-fossil fuel derived energy sources. This will help to mitigate this crisis and reduce exposure to similar crises in the future.
2. Aim to process any available support grants in the fairest and quickest way in line with Government guidance and due diligence. Using the experience gained during the covid pandemic, enable the council to seek to get them to where they are needed most.
3. Continue to provide advice and support to help local businesses through South and Vale Business Support, building on the lessons learned through our covid support programme.
4. Request the Chief Executive to consider instructing officer to bid for grants that become available to district councils to support local businesses to generate energy sustainably, making them less reliant on the rising costs of natural gas and electricity.
5. Continue to work positively with the Future Oxfordshire Partnership and Oxfordshire Local Enterprise Partnership (OxLEP) to ensure that the current needs of SMEs and rural businesses across the Vale are understood and considered when developing OxLEP programmes.

\*as of the latest available figures in August 2022

### **Motion 3. Fracking**

#### **Motion to be proposed by Councillor Nathan Boyd, Seconder to be notified**

This Council welcomes the government's intention to tackle energy insecurity given the current energy costs crisis and supports efforts to introduce new environmentally friendly power generation including wind, solar and other green energy solutions. However, this council is concerned at the suggestion of the potential for fracking in the Vale of White Horse and its impact of residents.

No viable deposits of shale gas have been identified in the area in or around Vale of White Horse, but even if one were to be identified, the potential introduction of fracking into the Vale would have a number of detrimental implications for the local area, which include:

- 1) The introduction and effect of heavy vehicle movements on our roads.
- 2) The seismic risks caused by fracking especially considering the uncertainty about steps to predict and reduce its impact
- 3) The potential impact upon our rivers and protected streams
- 4) The hugely detrimental potential effect on our Areas of Outstanding Natural Beauty

If the Government decided to allow any exploration and extraction of shale gas within the district, this council would require the strictest of safeguards in relation to any potential site in the Vale.

Our residents will be naturally concerned at the implications of fracking therefore this council believes that residents consent to any potential site is critical and that Government should take account of the views of residents – which should be at the forefront - when considering any application.

With the evidence available, this council does not believe that fracking is a good alternative energy option for the Vale of White Horse.

Council therefore resolves to ask the leader of the council to write to the appropriate Government minister to make the council's position on fracking clear and to suggest that the method of local approval should not only be through council approval, but also by a referendum of local residents to be carried out at the cost of the energy company.