

Minutes

of a meeting of the

Council



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

Open to the public, including the press

Present in the meeting room:

Councillors: Margaret Crick (Chair), Jerry Avery, Paul Barrow, Ron Batstone, Samantha Bowring, Nathan Boyd, Cheryl Briggs, Andy Cooke, Andy Crawford, Amos Duveen, Eric de la Harpe, Neil Fawcett, Andy Foulsham, Hayleigh Gascoigne, David Grant, Debby Hallett, Jenny Hannaby, Simon Howell, Alison Jenner, Bob Johnston, Diana Lugova, Ben Mabbett, Robert Maddison, Sarah Medley, Patrick O'Leary, Helen Pighills, Mike Pighills, Sally Povolotsky, Judy Roberts, Val Shaw, Emily Smith, Bethia Thomas and Max Thompson

Officers: Steven Corrigan, Democratic Services Manager and Mark Stone, Chief Executive

Remote attendance:

Officers: Patrick Arran, Head of Legal and Democratic

39. Apologies for absence

Apologies for absence were submitted on behalf of Councillors Janet Shelley, Elaine Ware, Catherine Webber and Richard Webber.

40. Minutes

RESOLVED: to approve the minutes of the Council meeting held on 12 October 2022 as a correct record and agree that the Chair sign them as such.

41. Declarations of interest

Mark Stone, the council's Returning Officer and Patrick Arran and Steven Corrigan, both deputy returning officers, declared interests in agenda item 11 – Elections – scale of fees and charges, as likely recipients of fees agreed by Council.

42. Urgent business and chair's announcements

The Chair provided an update on her recent engagements.

43. Public participation

The following question was submitted by Need Not Greed Oxfordshire (NNGO) and circulated to all councillors prior to the meeting. No representative was in attendance to ask the question.

Following the demise of the Oxfordshire Plan, each Council is now assessing its own housing numbers but, as we know, decisions taken by Oxford City are likely to have significant ramifications for the surrounding Districts. A high level of due diligence over the process is therefore required.

Our understanding is that Oxford City Council is proposing to use an alternative method to calculate (and thereby increase) its housing “need”. The City's housing figures are being prepared by the same consultants who prepared the original Oxfordshire Growth Needs Assessment. We believe they will almost certainly be inflated by overly optimistic economic growth projections and substantial affordable housing uplifts and will not align with what most of us understand to be actual housing need. And this is being proposed by the City in the full knowledge that it will be looking to the District Councils to provide the housing for this unmet "need".

Need not Greed Oxfordshire would therefore like to ask the Vale of White Horse District Council whether:

1. It is supportive of Oxford City’s proposal to use an alternative method to calculate (and to thereby increase) its housing “need”?
2. It intends to cooperate with Oxford City Council by agreeing to meet its unmet housing, even when this does not represent need as assessed by the Standard Method?
3. It agrees it would be beneficial for the City to use different consultants from those used to prepare the Oxfordshire Growth Needs Assessment which was widely regarded as not fit for purpose?
4. It agrees that, in order to avoid conflicts of interest, it would be wise for each of the Oxfordshire Local Authorities to avoid the use of housing market assessment consultants who receive substantial amounts of their income from developers?

Councillor Neil Fawcett, Cabinet member for strategic partnerships and place, provided the following response:

Q1. It is supportive of Oxford City’s proposal to use an alternative method to calculate (and to thereby increase) its housing “need”?

The Government’s Planning Practice Guidance sets out “there is an expectation that the standard method will be used, and that any other method will be used only in exceptional circumstances”. To use an alternative method, the City Council must demonstrate that such exceptional circumstances exist. As we set out in our recent response to Oxford’s Local Plan consultation, the situation has changed significantly since the last round of local plans meaning that the original exceptional circumstances would not continue to justify a departure from the standard method. In our view Oxford City has not yet demonstrated that the exceptional circumstances threshold is met to justify a departure from the standard method, so we would expect need to be calculated using the Standard Method.

Vale of White Horse District Council’s response to the Oxford City Local Plan consultation, November 2022, is available on our website at

Q2. It intends to cooperate with Oxford City Council by agreeing to meet its unmet housing, even when this does not represent need as assessed by the Standard Method?

It is too early in the plan-making processes to make this determination. Oxford City Council has not completed its new housing need evidence nor made a formal request to this Council around taking further unmet housing need. Vale of White Horse has already made a significant contribution to assist Oxford, taking 2,200 homes for Oxford in our local plan which was adopted in 2019. We responded to Oxford's statement in their recent preferred options consultation that "Oxford can never meet its full housing need" by pointing out that we consider this premature and unambitious, an unhelpful predetermination prior to collection of necessary evidence.

We have pointed out that the City Council has had the opportunity to provide significant numbers of homes on a number of sites that have become available for redevelopment in recent years but have chosen to not build homes on those sites.

Q3. It agrees it would be beneficial for the City to use different consultants from those used to prepare the Oxfordshire Growth Needs Assessment which was widely regarded as not fit for purpose?

We have no influence over the City's choice of consultants and make no comment on this.

Q4. It agrees that, in order to avoid conflicts of interest, it would be wise for each of the Oxfordshire Local Authorities to avoid the use of housing market assessment consultants who receive substantial amounts of their income from developers?

Avoiding conflicts of interest when appointing consultants is a matter for individual local authorities to determine via their procurement process.

44. Petitions

None.

45. Council Tax Reduction Scheme 2023/24

Council considered Cabinet's recommendations, made at its meeting on 11 November 2022, on a review of the council's Council Tax Reduction Scheme.

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

- to remove the 91.5 per cent limit (cap) when calculating the council tax bill,
- to remove the band E restriction for all residents, so that qualifying residents will have their Council Tax Reduction calculated at 100 per cent of their council tax bill, after any deductions and based on their property's actual council tax band, and
- to reintroduce the second adult rebate scheme to working age residents, in order to give a maximum 25 per cent reduction where they live with another adult on a low income.

46. Council tax base 2023/24

Council considered Cabinet's recommendations, made at its meeting on 2 December 2022, on the council tax base for 2023/24.

RESOLVED: to

1. Approve the report of the head of finance for the calculation of the council's tax base and the calculation of the tax base for each parish area for 2023/24.
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 2023/24 is 56,664.9.
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 2023/24 for each parish be the amount shown against the name of that parish in Appendix A of the report of the head of finance to Cabinet on 2 December 2022.

47. Appointment of an independent member to the Joint Audit and Governance Committee

Council considered the recommendations of the Joint Audit and Governance Committee, made at its meeting on 15 November 2022, on the appointment of an independent person to the committee and a proposal that the Independent Remuneration Panel consider an appropriate level of allowance for such a position and the independent persons who assist the monitoring officer with code of conduct matters.

RESOLVED: to

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

48. Review of the council's constitution

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

RESOLVED: to

1. adopt the following sections of the Constitution with immediate effect:
 - a) the Procurement Procedure Rules, set out in Appendix B of the report of the head of legal and democratic to Council on 7 December 2022, as Part 4 (8);
 - b) the Anti-Fraud, Corruption and Bribery Policy, set out in Appendix C of the report of the head of legal and democratic to Council on 7 December 2022, as Part 5 (8);
 - c) the Whistleblowing Policy, set out in Appendix D of the report of the head of legal and democratic to Council on 7 December 2022, as Part 5 (3); and
2. authorise the head of legal and democratic to make these changes and any further minor or consequential amendments to the Constitution.

49. Elections - scales of fees and charges

Mark Stone, the council's returning officer, and Steven Corrigan, a deputy returning officer, left the room during the debate and vote on this item. Patrick Arran, a deputy returning officer, was unable to hear or observe the debate or vote on the item.

Council considered the report of the returning officer on the setting of fees and charges for district and parish elections.

RESOLVED: to

1. agree the scales of fees for district and parish council elections, parish polls and neighbourhood planning referendums as set out in the Appendix to the report of the returning officer to Council on 7 December 2022;
2. agree that the scales of fees for staffing positions are amended to reflect those adopted by Oxfordshire County Council and authorise the returning officer to make such changes;
3. agree to continue to charge parish and town councils for running elections on their behalf.

50. Report of the leader of the council

Councillor 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](#).

As part of her address Councillor Smith confirmed her resignation as Leader of the council and that she would continue to serve as councillor for Botley and Sunningwell Ward.

On Behalf of Council, Councillor Crick, Chair of council, thanked Councillor Smith for her time as Leader of the council and wished her well in her career.

51. Election of leader of the council

Councillor Smith proposed and Councillor Thompson seconded the appointment of Councillor Thomas as Leader of the council.

RESOLVED: to elect Bethia Thomas as Leader of the council for a period ending on the day of the next post-election annual meeting in 2023.

Councillor Thomas advised of the appointment of Councillor Neil Fawcett as Deputy Leader of the council and gave details of the Cabinet portfolio responsibilities set out in her Leader's scheme of delegation with other appointments.

Councillor Thomas presented Councillor Smith, former Leader of the council, with a bouquet of flowers and thanked her for her contribution as Leader of the council.

52. Questions on notice

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

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

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

Written answer

The council has continued to engage proactively with the developer Taylor Wimpey to press for the transfer and adoption of various assets at Great Western Park. Officers also send a regular update to local ward members to advise on progress, aware that this remains an issue of local concern. Members will recognise that there are processes to be followed and these are reliant on the provision of compliant information by the developer.

The latest position is that Taylor Wimpey have identified that some areas practically completed over 5 years ago have now fallen below transferable standards, in their words these are "no longer in a condition for handover". Officers have made it clear to Taylor Wimpey that they expect the developer to transfer at completion standard and that the council will not take transfer until the standard is as required by the S106 agreement.

To support the officers' position, I intend as cabinet member to write to the Managing Director of Taylor Wimpey to seek an update and clear timescale for ensuring these transfers can happen.

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

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

Written answer

In 2008 the Government introduced a process to streamline decision making for major infrastructure projects, a Development Consent Order (DCO). They say this is fairer and faster for communities and applicants. Such infrastructure projects often cover several administrative areas and a national, regional or sub regional planning assessment is required.

The Planning Inspectorate is responsible for management of the (DCO) process and there are six stages: Pre-application, Acceptance, Pre-examination, Examination, Recommendation and Decision, and Post-decision.

Regarding the Botley West Solar Farm proposal, the promoter of the solar farm is carrying out informal local consultation. Formal pre-application has not started. If an application for development consent is submitted, the Planning Inspectorate has 28 days to consider whether it meets the standards required to be accepted for examination and as a scheme under the National Significant Infrastructure Projects (NSIPs).

While a DCO is a planning process, similar to that which we oversee at council level, I share Councillor Johnston's concerns about ensuring the voices of local residents, businesses and members are taken into account. While this council has little say over the process and how the developer chooses to engagement with local communities, I think it is very important that our council responds to any consultations about the Botley West plan and that local members encourage our residents respond directly to the informal and formal consultations to ensure their views are heard at every opportunity.

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

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

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

Written answer

The elections team have been reaching out to young people as part of the annual canvass to encourage registration and have offered to visit schools to give a short presentation (to year groups 11 and above) covering registering to vote and (as more information becomes available) the Voter ID requirements.

Building on that work, they are also working with the councils comms team and in the new year will tie in with the launch of the Electoral Commissions national campaign on voter ID and also “Welcome to your vote week 2023” aimed specifically at schools and youth groups.

Should any person not already possess acceptable ID, then they can apply for a free ‘Voter Authority Certificate’ (a document containing the person’s name and their photograph) and the Returning Officer/Electoral Registration Officer will be taking steps to ensure that there are sufficient resources to process these applications in a timely manner.

To apply for a Voter Authority Certificate, a registered elector will be able to apply online via an application portal hosted on gov.uk and will be required to provide their name, the address at which they are registered to vote, date of birth, National Insurance Number, a suitable photograph, and a declaration that the contents are true.

If a person does not have online access, then they can submit a paper application which can be returned by post, delivered by hand or sent in electronically by email. The provision of in-person applications (except for those persons requiring assistance under the Equality Act 2010 for which it must be provided) is at the discretion of the Electoral Registration Officer who will be reviewing whether the facility can be made available at the council offices at Abbey House.

Many students (including for example those attending Abingdon & Witney College) will have access to PASS accredited student cards such as TOTUM which are also acceptable documents and are likely to be held by young persons as proof of age. It should also be noted that expired photographic identification documents can be used in a polling station so long as it is still a good likeness.

An elector can opt to apply for a postal vote if they do not want to vote in person at a polling station for a particular election, a set period of time or for all future polls. The Returning Officer will be reviewing the volume of uptake of Postal Votes in order to ensure sufficient resources are available for processing applications, despatch of Postal Votes packs and processing returned packs, should volumes rise significantly.

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

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

Written answer

The Vale’s Food and Farming Motion was passed unanimously at full council earlier in the year and since then Councillor Paul Barrow has been appointed as the Council’s Food & Farming Champion. A council champion plays an important part in promoting their field of special interest and Councillor Barrow has already been on visits to listen and learn how we, as a council, may be able to support this sector through our existing services, and we are currently reviewing the remit of this role and those of other champions to see how they may be of best service to our communities.

Since we passed the Food and Farming Motion, officers have engaged with a number of stakeholders within the farming community and rural organisations, through a series of meetings both virtual and in person. This has included:

- National Trust – Buscot and Coleshill Estate
- National Farmers Union representative (NFU)
- Countyside Landowners Association (CLA)
- Oxfordshire Community Foundation (OCF)
- Pennyhooks Farm near Shrivenham
- Earth Trust
- Local Nature Partnerships officer
- Co-op Futures
- BBOWT

Where possible, the key issues raised by these organisations have been incorporated in our proposal to unlock the Council's conditional allocation through the Rural England Prosperity Fund (REPF). We will be engaging further with the agricultural community over the coming months and, if our REPF proposal meets approval of the Department for Environment, Farming and Rural Affairs (DEFRA), then we anticipate that we will be able to support rural enterprises such as farming and rural food production businesses with a range of capital funding opportunities from 2023 to 2025.

We have also just endorsed the Oxfordshire Food Strategy which has key aims on food justice, sustainable food economy, good food movement, food for the planet and sustainable supply chains. We are about to commence development of a detailed local food action plan, working with a wide range of stakeholders under a local steering group to guide the development of this action plan and ensure it represents local views, priorities and needs. We will ensure representatives from the food and farming community are part of the steering group and are excited about how our work on this plan can help shape our relationship with the rural sector and local food industries.

53. Motions on notice

(1) Councillor Emily Smith moved, and Councillor Bethia Thomas seconded the motion as set out in the agenda at agenda item 14.

After debate and on being put to the vote the motion was agreed.

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

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

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

Council Notes that:

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

Council Resolves to:

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

(2) Councillor Diana Lugova moved, and Councillor Judy Roberts seconded a motion as set out in the agenda at agenda item 14.

After debate and on being put to the vote the motion was agreed.

RESOLVED:

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

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

Council notes:

1. That building regulations do not require homes or commercial properties to be carbon zero in their construction or their operation, only that they need to be 'zero carbon ready by 2025'
2. That national planning legislation does not allow councils to enforce zero or negative carbon standards as part of our local plans
3. In response to a Liberal Democrat amendment proposed to the Levelling Up and Regeneration Bill* minister Lee Rowley MP made clear the government

would not support allowing local planning authorities to insist on zero carbon build

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

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

The meeting closed at 8.25pm

Chair:

Date: