

Minutes

of a meeting of the

Council



held on Wednesday, 23 October 2024 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: Kiera Bentley (Chair), Oliver Forder (Vice-Chair), Paul Barrow, Ron Batstone, Cheryl Briggs, Sue Caul, Robert Clegg, Mark Coleman, Andy Cooke, Andy Crawford, Debra Dewhurst, Amos Duveen, Lucy Edwards, Neil Fawcett, Andy Foulsham, Katherine Foxhall, Debby Hallett, Jenny Hannaby, Scott Houghton, Sarah James, Diana Lugova, Patrick O'Leary, Viral Patel, Sally Povolotsky, Helen Pighills, Mike Pighills, Judy Roberts, Val Shaw, Andrew Skinner, Emily Smith, Stevens and Bethia Thomas

Officers: Nick Bennett, Head of Legal and Democratic and Monitoring Officer, Steven Corrigan, Democratic Services Manager and Simon Hewings, Head of Finance

34. Apologies for absence

Apologies for absence were submitted on behalf of Councillors Cox, de la Harpe, Gascoigne, Maddison, Rayner and Thompson.

35. Minutes

RESOLVED: to approve the minutes of the meeting held on 17 July 2024 and the special meeting held on 18 September 2024 as correct records and agree that the Chair sign them as such.

36. Declarations of interest

None.

37. Urgent business and chair's announcements

The Chair advised that she had agreed to take an item of urgent business to allow Council to consider the Cabinet recommendation to extend the current contract for the management of the car park service with Saba Park Services UK Limited for two years until 30 September 2027. The reason for urgency was that any extension to the contract needed to be agreed before 31 October 2024.

The Chair welcomed Nick Bennett, Head of Legal and Democratic and Monitoring Officer, to the council.

38. Public participation

The Chair advised that three members of the public had registered to make statements and two representatives from Botley and North Hinksey Parish Council had registered to speak on their petition – see minute 39.

- A. Councillor Chris McCarthy, Chair of Grove Parish Council, addressed Council on the Playing Pitch Strategy and Leisure Facilities Assessment Strategy 2023-41.

In his statement he highlighted the lack of provision for new leisure facilities within the strategy for Grove despite the financial contributions generated by housing developments in the parish. There was an urgent need for an artificial pitch for use by a number of local sports clubs and teams. He requested that any decision on the leisure strategy is deferred until the district council reconsiders the needs and wants of the sports and leisure clubs in Grove.

Councillor Bentley, Chair of the council, thanked Councillor McCarthy and advised that the views in his statement would be taken into account when Cabinet considers the strategy at its forthcoming meeting.

- B. Tim Glass, a resident of East Hanney, addressed Council on the recent flooding in the village.

He highlighted the impact of the recent flooding in September 2024 during which Letcombe Brook broke its banks with homes flooded and the failure of a sewage pump. He highlighted a number of factors, which in his view, had contributed to a worsening situation including development on meadow and pastureland, inadequacy of the foul sewage system, ditch maintenance neglect and a lack of monitoring of water flows. Solutions were required prior to any further development. An invitation would be sent to members to visit the parish and discuss the impacts of the flooding and possible mitigation measures.

- C. Barry Gooch addressed Council in support of Motion 1 on the agenda for this meeting.

39. Petitions

Councillors Rankin and Keily, representing Botley and North Hinksey parish Council, addressed council in support of the "Save our Swimming Pool" petition which called on Vale of White Horse District Council and Oxford Brookes University to:

- Reconsider the planned closure of the Harcourt Hill pool;
- Develop a short-term plan for continued use; and
- Work with the community and the site owners on a long-term solution.

Council debated the petition. A number of members highlighted the importance of the facility which had provided a range of leisure facilities, including a swimming pool, gym, tennis and golf putting, for use by both the community and local schools. The sudden closure of the site had come as a surprise and caused concern locally leaving this part of the district with no alternative facilities and long distances to travel to alternative venues.

Council agreed to refer the petition to Cabinet, as the committee with oversight of council leisure provision, to consider the matter.

40. S106 Request - Milton Parish Council - New Community Hall with Sporting Facilities, Potash Lane, Milton

The Chair of council referred to an email sent to all members prior to the meeting which advised that due to the lack of a planning decision in respect of the proposed facility the item would not be considered at this Council meeting. Once, and if, planning permission is granted, the report would be brought back to Council.

41. Didcot Technology Park - Proposed Local Development Order

Council considered Cabinet's recommendations, made at its meeting on 27 September 2024, on progress towards a Local Development Order (LDO) for Didcot Technology Park.

Councillor Lugova, Cabinet member for Planning, advised that Plan 5, as attached to the Council agenda, had been updated since the Cabinet meeting, to take account of a small change to the pedestrian/cycle route to ensure the developer could deliver it as required under the Section 106.

RESOLVED: to adopt the Didcot Technology Park Local Development Order (LDO) (attached at Appendix 3 to the report of the head of planning attached to the agenda to the Council meeting on 23 October 2024), subject to the completion of a legal agreement securing the elements referred to in paragraph 9 of the report.

42. Making of the Steventon Neighbourhood Plan

Council considered the recommendation of Councillor Foulsham, Cabinet member for policy and programmes, to make the Steventon Neighbourhood Development Plan part of the development plan for Vale of White Horse.

RESOLVED: to

1. To make the Steventon Neighbourhood Development Plan, so that it becomes part of the council's development plan.
2. To authorise the head of policy and programmes, in consultation with the Cabinet member for policy and programmes and in agreement with the Qualifying Body - Steventon Parish Council, to correct any spelling, grammatical, typographical or factual errors together with any improvements from a presentational perspective.

43. Treasury Outturn 2023/24

Council considered the head of finance's report on the treasury management outturn for 2023/24 and Cabinet's recommendations made at its meeting on 18 October 2024. The Cabinet member for finance reported that the outturn report had also been considered by the Joint Audit and Governance Committee and Cabinet, both of which were satisfied that the treasury activities during 2023/24 had been carried out in accordance with the treasury management strategy and policy. The outturn figure had been better than expected, partly due to continued high interest rates. Performance had exceeded expectations and there had been no breaches of the counterparty limits or the prudential indicators. He reported an error in the report in paragraph 11 of

appendix C which stated that the CCLA had a performance of -3.9 per cent rather than the correct figure of 1.07 per cent as set out in the table in paragraph 9.

RESOLVED to:

1. approve the treasury management outturn report 2023/24; and
2. approve the actual 2023/24 prudential indicators within the report of the Head of Finance to the Council meeting on 23 October 2024.

44. Urgent Item - Car Park Management from 2025

Council considered Cabinet's recommendations, made at its meeting held on 18 October 2024, on the future management of the car park service from 1 October 2025.

The majority of members supported Cabinet's recommendation to extend the contract recognising that the contract had performed well, that officer resources were limited and needed to be focussed on the larger and more reputational contracts up for renewal, and that an extension would allow time to carry out a more in-depth review of the options including the location and provision of car parks. However, a number of members expressed concern that the option to extend had been made so close to the deadline for renewal without any opportunity for the options to be properly scrutinised. Others expressed concern regarding the management of the timeline for the contract deadline and renewal dates, which gave the impression that the council was not on top of the contract.

RESOLVED: to

1. extend the current contract with Saba Park Services UK Limited (Saba) for two years, until 30 September 2027, as a shared service with South Oxfordshire District Council;
2. authorise the Head of Development and Corporate Landlord, in consultation with the Cabinet member for Finance and Property Assets, to finalise and sign the contractual arrangements.

45. Report of the leader of the council

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

46. Future Oxfordshire Partnership - recent activity by Vale representatives update

Council noted the Future Oxfordshire Partnership update report attached to the agenda for the Council meeting held on 23 October 2024.

47. Questions on notice

1. Question from Councillor Foxhall to Councillor Foulsham, Cabinet member for Policy and Programmes

We recently learnt that the government's Planning Inspectorate has recommended that Oxford City Council withdraw its local plan.

The government inspectors' main reason for this was that Oxford City had not satisfied the duty to co-operate, in large part referring to South and Vale. Inspectors stated that "we do not consider that the Council has engaged constructively, actively and on an ongoing basis in relation to the strategic matters of housing needs and unmet housing needs." [1]

In response, Councillor Susan Brown, Oxford City Council's leader has commented: "We have a longstanding history of working collaboratively with neighbouring councils and other stakeholders on planning issues affecting Oxfordshire - including during the preparation of this plan. The duty to cooperate is not a duty to agree." [2]

Which of these assessments does the Cabinet member consider most accurate?

[1] <https://www.oxford.gov.uk/downloads/file/3600/exam-20---inspectors-post-hearings-letter-to-council-september-2024>

[2] <https://www.oxford.gov.uk/news/article/1549/oxford-city-council-response-to-planning-inspectors-findings-on-its-draft-local-plan-2040>

Written response

The initial examination hearings of the Oxford City Local Plan 2040 held in June 2024 considered the evidence about the duty to co-operate. The conclusions of the Inspectors were published on 11 September. The Inspectors are both highly qualified and very experienced and we have no reason to disagree with their conclusions on this matter.

We also acknowledge that duty to co-operate is not a duty to agree and would emphasise that all councils are required to engage constructively, actively and on an ongoing basis throughout the process of plan making.

The Duty to Co-operate Matter Statement submitted by South and Vale for the initial Oxford City Hearings can be viewed at this link:
<https://www.oxford.gov.uk/downloads/file/3374/matter-2-written-statement---south-oxfordshire-and-vale-of-white-horse-dc>

Supplementary question and answer

In response to a supplementary question on the potential impact of the decision on the Oxford City Local Plan on the council's Joint Local Plan, Councillor Foulsham responded that he was optimistic that the council had co-operated in accordance with the duty but ultimately the government inspector would have the final decision.

2. Question from Councillor James to Councillor Thomas, Leader of the council and Cabinet member for Climate Action, Nature Recovery, and Strategic Partnerships

In December 2023 this Council voted unanimously on a motion that noted the importance of Nature Recovery and made 12 resolutions towards delivering nature recovery in our district. They were:

1. Ask Cabinet to ensure that addressing the climate and ecological emergencies and nature recovery remain strategic priorities for planning policies and design guides for new development through proposals in the Joint Local Plan (JLP), whilst seeking to support the principle of increasing equality of access for people to natural, green spaces.
2. Ask Cabinet to consider proposing that nature recovery has equal priority with climate change as headline themes for the Vale of White Horse District Council Corporate Plan, 2024 – 2028.
3. Ask Cabinet to consider extending the remit of CEAC to support Cabinet in addressing the twin priorities of Climate Change and Nature Recovery.
4. Ask Cabinet to consider support for a higher than nationally set level of Biodiversity Net Gain (BNG) through the JLP and work with partners to support effective local use of any BNG offsetting arising from development in the Vale of White Horse.
5. Ask cabinet to consider and propose measurable targets and standards for biodiversity increase within our own Council's operations and land holdings, in the area managed for nature and in species diversity, seeking also to increase community engagement.
6. Support the work of the Cabinet Member for Climate Action and the Environment in engaging with partners and local charities and environmental organisations in supporting nature recovery and in opposing damage, such as that caused by sewage spills and other pollution incidents that damage nature in our district.
7. Work pro-actively with partners to develop and to support the production of a Local Nature Recovery Strategy for Oxfordshire.
8. Look for opportunities to extend partnership with local charities and environmental organisations to deliver nature recovery in Vale of White Horse.
9. Seek to identify further habitat bank sites to build on the success of the Duxford Old River project and support new opportunities for landowners to diversify their income streams and deliver nature recovery.
10. Ask Cabinet to consider the Council becoming a responsible body for Conservation Covenants as a possible route to securing biodiversity net gain.
11. Where relevant, continue to include advocating for nature and ecological diversity in our responses as consultee to major infrastructure projects.
12. Ask officers to continue to ensure that climate action and ecological initiatives are embedded within all council work areas.

Can the Cabinet member for Climate Action, Nature Recovery, and Strategic Partnerships please report back on the current status of these 12 resolutions and any further plans that have been made since last December that will deliver nature recovery in the Vale of the White Horse?

Written response

Thank you for your question and for the opportunity to highlight some of the work we have been doing since your motion in December. As was made clear during the debate, much of what was outlined in the motion was already in train, but the administration was happy to support the motion in order to highlight our shared commitment to nature recovery.

I believe specific updates should have already been distributed to members, and with your group's representation on CEAC, I hope you have been informed of much of this detail already. Of course, detailed actions are directed by high level policy which has been the focus of much of our work recently; for reference and without the need to go through each line specifically, here is a summary of some of the key activities that are either continuing or are in train to be developed.

The Joint Local Plan (JLP) is now at an advanced stage, undergoing its pre-submission publication period before submission for independent examination. The JLP's vision starts "Our vision is for carbon neutral districts, for current and future generations. For this to be a place where nature is thriving, and nature reserves are no longer isolated pockets." Objective 4 of the JLP is to "Help nature recover by protecting wildlife and expanding natural habitats, requiring developments to achieve the highest viable net gain in biodiversity so that it leaves the natural environment better than it was before the development". To this end, the JLP includes ambitious new planning policies including NH2 on nature recovery, which states that development in Vale must deliver at least a 20% biodiversity net gain, significantly stronger than the 10% mandatory biodiversity net gain set nationally under the Environment Act 2021.

The proposed new Council Plan, the Heart of the Vale, outlined one of its key priority themes as Supporting Climate and Nature Recovery when publicly consulted on earlier in the year. More information regarding that will come forward as the strategic plan is further developed alongside the budget setting process for 2025/2026.

The developing Nature and Climate Action Plan (NCAP) will set out the council's approach to nature recovery over the coming years. This cross-cutting action plan will seek to set new measures and targets across all council work areas. The NCAP will set out how the council will continue to support the delivery of the Oxfordshire Local Nature Recovery Strategy, what it will do to deliver nature recovery in our own operations and how we will work with local communities and with partners to deliver across the Vale of White Horse. CEAC have been closely involved in the development of the NCAP and will continue to review progress on agreed actions after its publication early next year.

Decision making on climate and nature recovery has also been given a boost with the introduction the climate impact assessment tool being more widely used by officers in committee reports and also considered during earlier stages of projects and work activity being developed.

As you can see, we have covered a lot, and much of this was already in progress. Further updates will continue to be communicated to all members when they come forward, through the regular channels including In-Focus and the monthly member updates; with this information available to all members, I hope there will be no need further for consideration of this motion at full Council.

Supplementary question and answer

Councillor James asked for specific updates on resolutions 5, 9 and 10. In response, Councillor Thomas stated that a response to each resolution would not constitute a singular question in accordance with the provisions in the constitution and that she would discuss the matter outside the meeting.

48. Motions on notice

Council considered the following motions.

A. Motion moved by Councillor Clegg and seconded by Councillor James as set out on the agenda at agenda item 14 (1)

Following debate, the motion was declared carried.

RESOLVED: to

Note the Secretary of State for the Environment, Food and Rural Affairs has approved Thames Water's Water Resources Management Plan 2024 (WRMP24).

The Environment Agency had advised that Thames Water should not be able to publish its WRMP24 without addressing significant remaining issues.

Thames Water submitted its Environmental Impact Assessment (EIA) Scoping Report for the reservoir to the Planning Inspectorate, which was then put out to consultation with organisations including this Council.

Thames Water is attempting to 'scope out' assessment of embankment breach risk, despite the Environment Agency's "Lessons from historical dam incidents" which sets out a series of incidents involving the breaching of embankments, along with many near misses and other serious incidents both in the UK and overseas.

The requirement to be able to reduce the reservoir water level by 1m per day would lead to a discharge into the River Thames that could cause very serious flooding downstream, especially if coinciding with high levels of flow along the Thames.

Thames Water appears to accept the need for assessing and managing this risk, however, this assessment will not be required before the Development Consent Order (DCO) approval, but after construction is largely completed.

Council resolves to:

Ask the Leader to request of the Secretary of State and of Thames Water that the following must come before DCO approval for SESRO and be published openly so that they can be scrutinised by all levels of government and by the public:

1. Embankment failure risk analysis and mitigation planning.
2. Risk analysis and mitigation planning for the impact of emergency drawdown on flooding along the Thames valley.

Ask the Leader to re-request a meeting with the current Secretary of State with invitations to: the Members of Parliament for Didcot and Wantage and for Oxford West and Abingdon; the Group Against Reservoir Development (GARD); the Campaign to Protect Rural England (CPRE); the leaders of the groups represented in this chamber; and the County Councillors in the proposed zone of development and fall out. Said meeting to discuss the existing concerns that have not yet been addressed and the overall options for governance of the system.

B. Councillor James moved and Councillor Patel seconded an altered motion to that set out on the Council agenda to reflect their acceptance of an amendment from Councillors Smith and Roberts. The amended motion is set out below with deleted words shown by a strikethrough and additional words in bold.

This Council notes: -

Through our actions and motions, ~~all political groups in this council have~~ **this council has** demonstrated ~~their~~ **its** strong desire to provide the services and support we are responsible for in a way that shows transparency and democratic accountability.

Polls show that the UK public supports public ownership of public services.

Councils across the country spend hundreds of millions of pounds buying in essential goods, services and expertise from the private sector each year.

The Public Services (Social Value) Act was introduced in 2012. It provides a legal basis for public authorities to look for wider social, economic and environmental benefits when undertaking procurement exercises.

There are well documented cases demonstrating insourcing public services can deliver lower costs, more efficiency, a public sector ethos, and an enhanced level of democratic accountability for local residents.

That councils of all political persuasions have brought services back into local control to save money and gain control over essential services for their residents.

~~That outsourcing contracts necessarily results in public money going into private profit.~~

The Council further notes: -

That Vale of White Horse District Council has successfully brought a number of services and staff in-house to gain greater control and value for money. These include finance, IT, HR and property management among others.

Consideration of direct provisioning requires a long lead time, and this cannot be assessed in the same way as an outsourced contract. To consider direct and outsourcing on the same short timescale effectively rules out the direct provisioning option.

~~Together with South Oxfordshire, Vale of White Horse District Council has purchased new waste vehicles for the use by our contractors and are currently in the process of purchasing a waste vehicle depot.~~

-

~~That the council has used LAHF funding to re-establish itself as an owner of housing and invested substantially in the resources to deliver as a residential landlord.~~

Extensive cuts to council funding under successive governments since 2010 **and a lack of a multi-year financial settlement for councils** have deeply harmed the ability of councils to build resilience, innovate and deliver.

That investing in strengthening the council's capacity and skills to deliver services in-house takes time, but it can make the council more sustainable, innovative and effective for the long term.

This Council therefore resolves to call on its ~~Executive~~ **Cabinet** to: -

Continue to work with officers to comply with our duty to achieve best value for taxpayers (including economic, environmental and social value) when commissioning services to meet the needs of our residents.

~~Continue to work with officers to develop strategies for greater democratic control of services wherever possible to deliver better results for citizens.~~

Seek to assess options of direct provisioning well ahead of contract renewal such that sufficient lead time is allowed for a change of delivery model to in-house, if that is found to be the preferred option.

Confirm its intention to always consider options for in-house delivery when reviewing any outsourced provision, with guidance to the policy development teams within the council on this priority.

Ask officers to ensure that if there is a need to engage consultants, there is a clear expectation that insourcing will be given as much weight as external contracts in any options appraisal.

~~Continue to call out the unfair and damaging cuts to local government funding by successive Governments since 2010.~~ **for a reversal of cuts to local government funding and a multi-year, fair funding settlement for district councils.**

Following debate, the motion was declared carried.

RESOLVED:

That this Council notes: -

That through our actions and motions, this council has demonstrated its strong desire to provide the services and support we are responsible for in a way that shows transparency and democratic accountability.

Polls show that the UK public supports public ownership of public services.

Councils across the country spend hundreds of millions of pounds buying in essential goods, services and expertise from the private sector each year.

The Public Services (Social Value) Act was introduced in 2012. It provides a legal basis for public authorities to look for wider social, economic and environmental benefits when undertaking procurement exercises.

There are well documented cases demonstrating insourcing public services can deliver lower costs, more efficiency, a public sector ethos, and an enhanced level of democratic accountability for local residents.

That councils of all political persuasions have brought services back into local control to save money and gain control over essential services for their residents.

The Council further notes: -

That Vale of White Horse District Council has successfully brought a number of services and staff in-house to gain greater control and value for money. These include finance, IT, HR and property management among others.

Consideration of direct provisioning requires a long lead time, and this cannot be assessed in the same way as an outsourced contract. To consider direct and outsourcing on the same short timescale effectively rules out the direct provisioning option.

Extensive cuts to council funding and a lack of a multi-year financial settlement for councils have deeply harmed the ability of councils to build resilience, innovate and deliver.

That investing in strengthening the council's capacity and skills to deliver services in-house takes time, but it can make the council more sustainable, innovative and effective for the long term.

This Council therefore resolves to call on Cabinet to: -

Continue to work with officers to comply with our duty to achieve best value for taxpayers (including economic, environmental and social value) when commissioning services to meet the needs of our residents.

Seek to assess options of direct provisioning well ahead of contract renewal such that sufficient lead time is allowed for a change of delivery model to in-house, if that is found to be the preferred option.

Confirm its intention to always consider options for in-house delivery when reviewing any outsourced provision, with guidance to the policy development teams within the council on this priority.

Ask officers to ensure that if there is a need to engage consultants, there is a clear expectation that insourcing will be given as much weight as external contracts in any options appraisal.

Continue to call for a reversal of cuts to local government funding and a multi-year, fair funding settlement for district councils.

The meeting closed at 8.55pm

Chair:

Date: