

Council



Listening Learning Leading

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Summons to attend the annual meeting of Council

to be held on

THURSDAY 15 MAY 2014 AT 6.00 PM

at

**COUNCIL CHAMBER, SOUTH OXFORDSHIRE DISTRICT COUNCIL
OFFICES**

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MARGARET REED
Head of Legal and Democratic Services

Note: Please remember to sign the attendance register.

Agenda

1 Election of chairman

To elect a chairman of Council for the municipal year 2014/15.

2 Election of vice-chairman

To appoint a vice-chairman of Council for the municipal year 2014/15.

3 Apologies

To receive any apologies for absence.

4 Minutes of the previous meeting (Pages 5 - 20)

To adopt and sign as a correct record the minutes of the meeting held on 20 February 2014 (**attached**).

5 Declaration of disclosable pecuniary interest

To receive any declarations of disclosable pecuniary interests in respect of items on the agenda for this meeting.

6 Chairman's announcements

7 Questions from the public and public participation

8 Leader of Council report

The Leader of Council will report on any changes to Cabinet membership, allocation of portfolios or the executive scheme of delegation and outside body appointments.

9 Making the Woodcote Neighbourhood Plan part of the Development Plan for South Oxfordshire

Cabinet, at its meeting on 8 May 2014, will consider a report on making the Woodcote Neighbourhood Plan part of the Development Plan for South Oxfordshire.

The report of the Head of Planning, which Cabinet will consider on 8 May 2014 was circulated to all councillors. Please bring this report to the meeting.

The recommendation of Cabinet will be circulated to councillors on Friday 9 May.

10 Great Western Park Community Facility

On 7 May the Leader of Council took a decision to pay Taylor Wimpey UK Ltd £140,000 towards the construction costs of the Northern Neighbourhood Community

Centre at Great Western Park in Didcot subject to Council agreeing to transfer funds to a new budget in the approved capital programme. The Leader also delegated authority to the Head of Corporate Strategy to approve payments relating to the fit out costs up to the budget of £60,000

The decision notice was circulated to all councillors.

RECOMMENDATION to Council:

To transfer £200,000 from the New Homes Bonus Community Projects fund to a new budget for Great Western Park Community facilities in the approved capital programme.

11 Appointments to committees, panels and joint committees for 2014/15 (Pages 21 - 26)

To consider the report of the Head of Legal and Democratic Services (**report attached**).

12 Review of the Council's Constitution (Pages 27 - 34)

To consider the report of the Head of Legal and Democratic Services on proposed changes to the council's constitution (**report attached**)

13 Exclusion of the public, including the press

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.

14 Joint leisure management contract

Cabinet, at its meeting on 8 May 2014, will consider a report on the awarding of the joint leisure management contract.

The report of the Head of Economy, Leisure and Property, which Cabinet will consider on 8 May 2014, was circulated to all councillors. Please bring this report to the meeting.

The recommendation of Cabinet will be circulated to councillors on Friday 9 May.

MARGARET REED

Head of Legal and Democratic Services

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Minutes

OF A MEETING OF THE

Council



Listening Learning Leading

HELD AT 6.00 PM ON THURSDAY 20 FEBRUARY 2014

**COUNCIL CHAMBER, SOUTH OXFORDSHIRE DISTRICT COUNCIL
OFFICES**

Present:

Mrs Dorothy Brown (Chairman)

Mrs Ann Midwinter (Vice-Chairman), Mr Roger Bell, Mrs J Bland, Mr Felix Bloomfield, Mr David Bretherton, Mrs Janet Carr, Mrs Celia Collett, MBE, Mr Bernard Cooper, Mr John Cotton, Ms Kristina Crabbe, Mr Leo Docherty, Mr David Dodds, Mrs Ann Ducker, MBE, Mrs Elizabeth Gillespie, Mr Mark Gray, Mr Will Hall, Mr Tony Harbour, Mrs Eleanor Hards, Mr Neville F Harris, Mr Paul Harrison, Mr Stephen Harrod, Mr Marc Hiles, Ms Elizabeth Hodgkin, Dr Christopher Hood, Mr Malcolm Leonard, Ms Lynn Lloyd, Mr Imran Lokhon, Mrs Denise Macdonald, Mrs Judith Nimmo-Smith, Reverend Angie Paterson, Ms Anne Purse, Mr Alan Rooke, Mr Bill Service, Mrs Pearl Slatter, Mr David Turner, Mrs Margaret Turner and Mr Michael Welply

Apologies:

Ms Anna Badcock, Mrs Margaret Davies, Mrs Pat Dawe, Mr Marcus Harris, Mr Christopher Quinton, Mr Robert Simister and Mrs Jennifer Wood tendered apologies.

Officers:

Mr Steve Bishop, Mr David Buckle, Mr Steven Corrigan, Mr William Jacobs, Mrs Kathy Fiander, Mr Matt Prosser, Mrs Margaret Reed and Mrs Anna Robinson

43 Declaration of disclosable pecuniary interest

None.

44 Minutes of the previous meeting

RESOLVED: to approve the minutes of the meeting held on 12 December 2013 as a correct record and agree that the Chairman sign them as such.

45 Chairman's announcements

The Chairman provided the following announcements regarding forthcoming events:

- Flying the Commonwealth flag - on Monday 10 March each of the Oxfordshire district councils will take part in the largest single raising of the commonwealth flag in the history of the commonwealth. She invited all councillors to join her as the flag is raised at the South Oxfordshire District Council offices at 10am on Monday 10 March.
- Chairmen's Charity Sale - the charity sale will be held in the council chamber at the South Oxfordshire District Council Offices from midday to 2pm on Wednesday 5 March with money raised to be split equally between her charities and the Chairman of the Vale of White Horse District Council's charities.
- Chairman's Charity Dinner will be held from 7pm on Friday 4 April at Phyllis Court, Henley on Thames in support of the Oxford Heartfelt Appeal and the Chilterns MS Centre.

On behalf of the Council the Chairman extended gratitude to all staff, Oxfordshire County Council staff and contractors who had monitored and assisted during the recent flooding.

On behalf of the Council she congratulated Matt Prosser on his appointment as Chief Executive of Weymouth and Portland and West Dorset district councils.

46 Questions from the public and public participation

The Chairman advised that no questions had been submitted from members of the public. However, the following had requested to address Council on the Community Governance Review (CGR) item:

- Mr David J Rickeard, Chairman of East Hagbourne Parish Council, on CGR 9.
- Mr Anthony Yeates, Chair of Holton Parish Council, and Mr Kevin Heritage, a Holton resident, on CGR 28.
- Mr Philip Collings of Sonning Common Parish Council on CGRs 20 and 23.

With the agreement of Council, the Chairman varied the order of business to take the Community Governance Review item next.

47 Community Governance Reviews

Council considered the report of the Chief Executive on behalf of the Community Governance Review Working Group on revised terms of reference and draft recommendations in respect of the community governance review of South Oxfordshire.

Mr Rickeard, Chairman of East Hagbourne Parish Council, addressed Council on the proposal to amend the boundary of Didcot parish to incorporate that part of the Millbrook estate that is currently in East Hagbourne parish (CGR 9). The current arrangements should remain unchanged – Millbrook should not be absorbed into Didcot as proposed by Didcot Town Council. This view was supported by a majority of Millbrook residents during a recent survey. Of the 31 per cent of residents who responded to the survey 93 per cent opposed the transfer. This result echoed a similar survey undertaken in 2000. The current boundary was longstanding and understood. The residents of Millbrook have close family, social and community ties with East Hagbourne. No such affinity existed with Didcot.

Mr Anthony Yeates, Holton Parish Council, and Mr Kevin Heritage, a Holton resident, addressed Council on the proposal to amend the northern boundary of Wheatley parish to align with the A40 incorporating land currently in Holton parish (CGR 28).

Mr Yeates stated that the existing boundary was well established. There was no local support for change or expressions of dissatisfaction with the current boundary and nothing to be gained from the proposal.

Mr Heritage reiterated that the proposal had no local support. The existing boundary along the Old London Road was well defined and had existed for at least 900 years – well before the A40. Wheatley and Holton residents worked well together within the existing arrangements.

Mr Philip Collings, Sonning Common Parish Council Clerk, addressed Council on the proposal to amend the boundary between Sonning Common and Rotherfield Peppard (CGR 20) and the proposal to increase the number of councillors from 12 to 15 (CGR 23). He expressed concern that the draft proposal recommended no change to the boundary which currently divided the built settlement and passed through gardens and commented that in relation to other proposals the objections had been set aside but in the case of CGR 20 had been given greater weight. The proposal put forward by Sonning Common met the criteria and reflected the area used by the planning department to calculate housing need under the neighbourhood development plan. In respect of CGR 23 the parish council had been awarded the general power of competence and as such required additional parish councillors to address the increased workload.

Ms Lynn Lloyd thanked the speakers who had addressed Council and assured them that the views expressed would be taken into account. She introduced the report on behalf of the Community Governance Working Group. She advised that the report proposed a package of proposals for consultation with parish councils and residents. Originally Council agreed a consultation period running from this meeting until 4 April. However, the working group now proposes extending the consultation period until the end of May to allow more time for people to respond and more time for the working group to carefully consider all the responses and make final recommendations to Council in July.

She emphasised that Council was being asked to agree proposals for consultation. It was the start of the process. During the consultation period all those residents directly affected by a proposed boundary change (i.e. their property would move from one parish to another) would be consulted to seek their views.

Ms Lynn Lloyd moved and Mr F Bloomfield seconded the following motion:

That Council:

1. agrees the revised terms of reference for the review set out in Appendix A to the report of the Chief Executive to Council on 20 February 2014;
2. agrees the draft recommendation in relation to each item under review as set out in schedules CGR1 to CGR 29, which form Appendix B to the report of the Chief Executive to Council on 20 February 2014.

A number of councillors spoke on the specific proposals set out in the report.

Ms A Purse moved and Mr M Gray seconded an amendment to delete proposal CGR 28. On being put the amendment was declared lost.

RESOLVED: to

1. agree the revised terms of reference for the review set out in Appendix A to the report of the Chief Executive to Council on 20 February 2014
2. agree the draft recommendation in relation to each item under review as set out in schedules CGR1 to CGR 29, which form Appendix B to the report of the Chief Executive to Council on 20 February 2014.

48 Office accommodation refurbishment

Council considered Cabinet's recommendation made at its meeting on 13 February 2014 that recommended Council agree a budget virement in this financial year to cover essential refurbishment works at the Crowmarsh offices.

RESOLVED: to approve a revenue virement for £480,000 from identified underspending budgets this year to cover the refurbishment cost of the Crowmarsh offices.

49 Medium term financial strategy

Council considered Cabinet's recommendations, made at its meeting on 13 February 2014, on the council's treasury management strategy for 2014/15 to 2018/19.

RESOLVED: to approve the medium term financial strategy for 2014/15 to 2018/19 as attached to the report of the Head of Finance to Cabinet on 13 February 2014.

50 Treasury management mid-year monitoring report 2013/14

Council considered Cabinet's recommendation, made at its meeting on 13 February 2014, on the treasury management activities for the first six months of 2013/14.

In moving the recommendations Mr Dodds, Cabinet member for finance advised that at its meeting on 28 January, the Audit and Corporate Governance Committee resolved that the committee was satisfied that the treasury activities were carried out in accordance with the treasury management strategy and policy with the exception

of the investment made outside the treasury management strategy referred to in paragraph 20 of the report but noted the reasons for the change.

In response to a question on the investment made with the failed Icelandic bank Kaupthing Singer & Friedlander, Mr Dodds confirmed that the council had not yet received the eleventh dividend expected by the end of December 2013 but expected to receive it soon..

RESOLVED: to approve the report of the Head of Finance to Cabinet on 13 February 2014.

51 Treasury management strategy 2014/15 to 2016/17

Council considered Cabinet's recommendations, made at its meeting on 13 February 2014, on the approval of the treasury management strategy 2014/15 to 2016/17.

RESOLVED: to approve:

1. the treasury management strategy 2014/15 to 2016/17, incorporating the annual investment strategy, contained within appendix A of the report of the Head of Finance to Cabinet on 13 February 2014;
2. the prudential indicators and limits for 2014/15 to 2016/17, contained within appendix A of the report of the Head of Finance to Cabinet on 13 February 2014.

52 Revenue budget 2014/15 and capital programme to 2018/19

The chairman announced that new regulations would come into force on 25 February 2014 requiring councils to record the names of those councillors voting in favour, against or abstaining from any vote on the budget, including amendments, and the council tax. Although the regulations were not in force, she would call for a named vote on each of these matters at this meeting.

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

Council noted the report of the Chief Finance Officer on the robustness of the budget estimates and the adequacy of the reserves.

Mr D Dodds, Cabinet member for finance, presented the Cabinet's proposals for the revenue budget 2014/15 and capital programme to 2018/19. He advised that on 5 February 2014 the government announced the final 2014/15 local government settlement together with illustrative figures for 2015/16. The revised 2014/15 figure increased the funding due to the council in 2014/15 by £680. As the change was insignificant, the provisional figures included in the budget report have not been

changed. This change can be managed by an adjustment to the revenue smoothing reserve so there will be no change to the council tax requirement for 2014/15.

Mr D Dodds moved and Mrs E A Ducker seconded a motion to approve Cabinet's recommendations as follows:

That Council:

- i. sets the revenue budget for 2014/15 as set out in appendix A.1 to the report of the Head of Finance to Cabinet on 13 February 2014;
- ii. approves the capital programme for 2014/15 to 2018/19 as set out in appendix D.1 to the report of the head of finance to Cabinet on 13 February 2014, together with the capital growth bids set out in appendix D.2 to the report of the Head of Finance to Cabinet on 13 February 2014;
- iii. sets the council's prudential limits as listed in appendix E to the report of the Head of Finance to Cabinet on 13 February 2014;
- iv. approves the medium term financial plan to 2018/19 as set out in appendix F to the report of the Head of Finance to Cabinet on 13 February 2014
- v. allocates £1,000,000 to fund the Communities Capital Grant Scheme.

Mrs C Collett moved and Mr D Turner seconded an amendment to the above budget in the following terms:

That Council sets the revenue budget and capital programme taking account of the proposed changes as set out in the schedule - "opposition forum budget proposal" (attached to the minute book copy of these minutes) to:

- create a budget of £10,000 to fund a review of the provision and maintenance of burial ground and
- freeze council tax for financial years 2014/15 and 2015/16.

A number of councillors spoke in support of the amendment. The freeze in council tax for two years would allow the council to build up reserves in anticipation of further cuts to central government funding and the uncertainty surrounding New Homes Bonus funding. The review of the provision and maintenance of burial grounds was required to assess the current position, the implications of demand for different forms of burial and to ensure a fair and equitable system for all parish councils.

A number of councillors spoke against the amendment. Freezing the council tax was unnecessary despite the uncertainty in government and New Homes Bonus funding as the council had sufficient reserves, had loaned funds to safeguard the future and should only charge residents for the cost of the services it provided. The proposed review of burial grounds could lead to further expenditure for the council in an area for which it had no responsibility.

The chairman called for a recorded vote on the amendment. The amendment was lost with the votes recorded as follows:

FOR	AGAINST	ABSTAIN
Mr R Bell	Ms J Bland	Mr N F Harris
Mr D Bretherton	Mr F Bloomfield	
Mrs C Collett	Mrs D Brown	
Mr B Cooper	Mrs J Carr	
Mr M Gray	Mr J Cotton	
Mrs E Hards	Ms K Crabbe	
Mr M Hiles	Mr L Docherty	
Mrs E Hodgkin	Mr D Dodds	
Mrs D Macdonald	Mrs A Ducker	
Mrs A Midwinter	Mrs E Gillespie	
Mrs A Purse	Mr W Hall	
Mr D Turner	Mr T Harbour	
	Mr P Harrison	
	Mr S Harrod	
	Dr C Hood	
	Mr M Leonard	
	Ms L Lloyd	
	Mr I Lokhon	
	Mrs J Nimmo-Smith	
	Mr B Service	
	Mrs M Turner	
	Mr M Welply	
12	22	1

Rev'd A Paterson, Mr A Rooke and Mrs P Slatter had left the meeting prior to the vote on the amendment.

The chairman called for a recorded vote on the motion. The motion was carried with the votes recorded as follows:

FOR	AGAINST	ABSTAIN
Ms J Bland	Mr R Bell	
Mr F Bloomfield	Mr D Bretherton	
Mrs D Brown	Mrs C Collett	
Mrs J Carr	Mr B Cooper	
Mr J Cotton	Mr M Gray	
Ms K Crabbe	Mrs E Hards	
Mr L Docherty	Mr N F Harris	
Mr D Dodds	Mr M Hiles	
Mrs A Ducker	Mrs E Hodgkin	
Mrs E Gillespie	Mrs D Macdonald	
Mr W Hall	Mrs A Midwinter	
Mr T Harbour	Mrs A Purse	
Mr P Harrison	Mr D Turner	
Mr S Harrod		
Dr C Hood		
Mr M Leonard		
Ms L Lloyd		
Mr I Lokhon		
Mrs J Nimmo-Smith		
Mr B Service		
Mrs M Turner		
Mr M Welply		
22	13	0

Rev'd A Paterson, Mr A Rooke and Mrs P Slatter had left the meeting prior to the vote on the motion.

RESOLVED: to

1. set the revenue budget for 2014/15 as set out in appendix A.1 to the report of the Head of Finance to Cabinet on 13 February 2014;
2. approve the capital programme for 2014/15 to 2018/19 as set out in appendix D.1 to the report of the head of finance to Cabinet on 13 February 2014,

- together with the capital growth bids set out in appendix D.2 to the report of the Head of Finance to Cabinet on 13 February 2014;
3. set the council's prudential limits as listed in appendix E to the report of the Head of Finance to Cabinet on 13 February 2014;
 4. approve the medium term financial plan to 2018/19 as set out in appendix F to the report of the Head of Finance to Cabinet on 13 February 2014
 5. allocate £1,000,000 to fund the Communities Capital Grant Scheme.

53 Council tax 2014/15

Council considered the report of the Head of Finance on the setting of the Council Tax for the 2014/15 financial year.

Mr Dodds moved and Mrs E A Ducker seconded the recommendations as set out in the report.

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

FOR	AGAINST	ABSTAIN
Ms J Bland	Mr R Bell	Mrs A Purse
Mr F Bloomfield		
Mr D Bretherton		
Mrs D Brown		
Mrs J Carr		
Mrs C Collett		
Mr B Cooper		
Mr J Cotton		
Ms K Crabbe		
Mr L Docherty		
Mr D Dodds		
Mrs A Ducker		
Mrs E Gillespie		
Mr M Gray		
Mr W Hall		
Mr T Harbour		
Mrs E Hards		
Mr N F Harris		
Mr P Harrison		

FOR	AGAINST	ABSTAIN
Mr M Hiles		
Mrs E Hodgkin		
Dr C Hood		
Mr M Leonard		
Ms L Lloyd		
Mr I Lokhon		
Mrs D Macdonald		
Mrs A Midwinter		
Mrs J Nimmo-Smith		
Mr B Service		
Mr D Turner		
Mrs M Turner		
Mr M Welply		
32	1	1

Mr S Harrod, Rev'd A Paterson, Mr A Rooke and Mrs P Slatter had left the meeting prior to the vote on the motion.

RESOLVED:

1. to **note** that at its meeting on 12 December 2013 the council calculated the council tax base 2014/15:
 - (a) for the whole council area as **53,217.1** [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and
 - (b) for dwellings in those parts of its area to which a parish precept relates as in column 1 of appendix 1.
2. that the council tax requirement for the council's own purposes for 2014/15 (excluding parish precepts) is £6,102,937.
3. that the following amounts be calculated for the year 2014/15 in accordance with Sections 31 to 36 of the Act:
 - (a) £77,188,881 being the aggregate of the amounts which the council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by parish councils.
 - (b) £67,086,111 being the aggregate of the amounts which the council estimates for the items set out in Section 31A(3) of the Act.
 - (c) £10,102,770 being the amount by which the aggregate at (3)(a) above exceeds the aggregate at (3)(b) above, calculated by the council, in

accordance with Section 31A(4) of the Act as its council tax requirement for the year. (Item R in the formula in Section 31B of the Act).

- (d) £189.84 being the amount at (3)(c) above (Item R), all divided by Item T (1(a) above), calculated by the council, in accordance with Section 31B of the Act, as the basic amount of its council tax for the year (including parish precepts).
 - (e) £3,999,833 being the aggregate amount of all special items referred to in Section 34(1) of the Act, as set out in column 2 of appendix 1.
 - (f) £114.68 being the amount at (3)(d) above less the result given by dividing the amount at (3)(e) above by Item T (1(a) above), calculated by the council, in accordance with Section 34(2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no parish precept relates.
4. to **note** that for the year 2014/15 Oxfordshire County Council has stated the following amounts in precepts issued to the council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Band A	£805.61
Band B	£939.87
Band C	£1,074.14
Band D	£1,208.41
Band E	£1,476.95
Band F	£1,745.48
Band G	£2,014.02
Band H	£2,416.82

5. to **note** that for the year 2014/15 the Police and Crime Commissioner for Thames Valley has stated the following amounts in precepts issued to the council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Band A	£107.01
Band B	£124.84
Band C	£142.68
Band D	£160.51
Band E	£196.18
Band F	£231.85
Band G	£267.52
Band H	£321.02

6. in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, to set the aggregate amounts shown in appendix 3 of the report of the Head of Finance to Council on 20 February 2014 as the amounts of council tax for 2014/15 for each part of its area and for each of the categories of dwellings shown in appendix 3.
7. to note the allocation of the town and parish element of the council tax reduction scheme grant payable to each parish shown in appendix 4 of the report of the Head of Finance to Council on 20 February 2014.

8. to determine that the council's basic amount of council tax for 2014/15 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.

54 Pay policy statement 2014/15

Council considered the report of the Head of HR, IT and Customer Services on the adoption of a pay policy statement to meet the requirements of the Localism Act.

RESOLVED: to approve the pay policy statement attached to the report of the Head of HR, IT and Customer Services to Council on 20 February 2014.

55 Questions under Council procedure rule 34

1.Question from Mrs Eleanor Hards to the Leader of the council, Mrs Ann Ducker, MBE

Can the Leader define for Council members the exact boundaries of Science Vale?

Response

The name Science Vale was coined in 2009 to represent the broad area that encompasses Harwell Oxford science campus, Milton Business Park and the Centre for Fusion Energy at Culham, plus other large science businesses across Southern Oxfordshire. Our original purpose in setting up the science vale partnership was to draw attention to the world leading research and development and advanced manufacturing that exists in the area and to seek investment in infrastructure to support the growth planned by government on these big science parks.

The partnership, now branded Science Vale, Oxford to capitalise on the international reputation of Oxford University, has members from each of the science parks and its focus is on supporting business growth, particularly in the Enterprise Zone that covers 93 hectares on Harwell and Milton Park. The area of Science Vale is loosely defined for the purpose of business growth and there has been no desire on the part of the partners to draw a firm line around the area as it could mean that science businesses outside the line might not be able to benefit from the work of the partnership.

We have had immense success in our promotion of Science Vale. We bid successfully for an Enterprise Zone that will bring income of over £100m to Oxfordshire for infrastructure development. We have obtained grants of £21m for innovation centres at Harwell, Milton Park and Culham. We have won funding of over £40m for road works that will improve traffic movement across the area, including between Didcot and the A34 and Harwell.

We will shortly embark on the production of a joint Area Action Plan for Science Vale, with the Vale of White Horse, which is a planning document that will ensure development is in the right place, to the right quality. and properly served by good infrastructure. This plan is in our budget for 2014 and it will ensure that the growth that's taking place in and around Didcot enhances and adds value to the town. We will be consulting on the boundaries of the Area Action Plan in the coming months.

Supplementary question

Mrs Hards asked how a decision would be made regarding which communities to include in the Area Action Plan.

Response

Mrs Ducker responded that no decision had been taken but that a full consultation exercise would be undertaken with the affected communities.

2. Question from Mrs Margaret Davies to the Leader of the council, Mrs Ann Ducker, MBE. In view of her absence, Steven Corrigan, Democratic Services Manager, read out the question on behalf of Mrs Davies.

Will the Leader please provide the following information: The projected flows and monies received in each year for New Homes Bonus generated by housing at Didcot.

Response

There are past NHB receipts which are known and future NHB receipts which have been predicted based on housing growth forecasts. The figures below include all known NHB receipts for South Oxfordshire and all future estimates factored into the medium term financial plan.

This council receives £3.916 million in known NHB receipts for NHB years 2011 - 2014. Of this, approximately £955,000 relates to the Didcot area i.e. 24 per cent.

Officers also estimate this council will receive an additional £14.134 million in future NHB receipts for NHB years 2015 - 2018. Of this, approximately £5.218 million will relate to the Didcot area i.e. 37 per cent.

The total of known and forecast NHB is £18.05 million, of which approximately £6.173 million relates to Didcot i.e. 34 per cent.

3. Question from Mr Roger Bell to the Cabinet Member for Economic Development, Property and Technical Services, Mrs Judith Nimmo-Smith

South Oxfordshire and the Vale are two of the relatively few districts in England and Wales that, since 2005, have not introduced a Civil Enforcement Area, permitted under the Traffic Management Act 2004. This gives Local Authorities the power to enforce contraventions of parking controls within their designated area. These powers were formerly held by the police and usually operated by designated Traffic Wardens. In reality access by car to our towns and larger villages is vital for their future prosperity, both for people within the district coming in to use the facilities, and also by encouraging visiting tourists likewise, and enforcement of existing rules such as double yellow lines and time controlled on street parking is essential. This is so even though ideally public transport and other forms such as cycling and walking should be encouraged wherever possible. All residents of the district will benefit from such a scheme as they all make use of the facilities provided in the more built up areas.

Will the Cabinet member therefore confirm that officers at South Oxfordshire are currently investigating and consulting on this issue with the firm intention of introducing such a scheme as soon as possible and that in addition to the four towns the larger villages will also be consulted with a view to being included?

Response

I can confirm that officers are currently investigating and consulting on the implications of civil parking enforcement (CPE). Discussions have taken place with the four town councils, which have been generally positive. In addition, officers have carried out a citizens panel survey to find out the panel's views on parking. The survey results are yet to be analysed but, once they have been, I will ensure that the

results are published in the Weekly Information Sheet.

The power to apply to the Department for Transport for CPE power rests with Oxfordshire County Council; we would act as its agent in implementing the power assuming it is granted. At present, the county council is indicating that it would prefer to move forward with a single application covering the three districts in Oxfordshire that do not have CPE currently - Cherwell, Vale of White Horse and ourselves. This is to minimise costs. Discussions are ongoing with the other two district councils.

I am well aware of the support for CPE in places outside of the four towns. I can reassure Councillor Bell that if CPE is implemented in South Oxfordshire then it will cover the whole district.

Supplementary question

Mr Bell asked whether or not the district council will actively support all the towns and the larger villages in seeking to find and provide additional off street parking in designated car parks as set out in Section 5.31 of the council's adopted Core Strategy relating to market towns.

Response

Mrs Nimmo-Smith undertook to provide a written response.

4.Question from Mrs Denise Macdonald to the Leader of the council, Mrs Ann Ducker, MBE

Can the Leader tell me what proportion of the money from pitch fees and commission on sales of mobile homes has been used over the last five years to repair and maintain the council-owned mobile home site at Foxhall Manor Park, Didcot and what is the balance used for?

Response

Over the past five years the proportion of money from the pitch fees and commission spent on repairs and maintenance at Foxhall Manor Park has varied:

In 2008/09 it was 58 per cent
In 2009/10 it was 40 per cent
In 2010/11 it was 75 per cent
In 2011/12 it was 34 per cent
In 2012/13 it was 25 per cent.

The surplus income goes into the general fund to help deliver quality services.

The council has a regular maintenance programme at Foxhall Manor Park, but also asks for input about areas for improvement from residents through surveys, newsletters, and general correspondence. Current issues are identified and managed to help achieve positive outcomes for residents and the park. So with council officers and residents highlighting any areas of concern, we are confident the park is well maintained and improvements are implemented where necessary. However, officers always welcome suggestions of any other specific areas where further maintenance may be required.

Supplementary question

Mrs Macdonald welcomed the response. However, she asked why, if money was available, residents had contacted her complaining they were informed no funds were available to address their issues?

Response

Mrs Ducker responded that she was surprised to hear this. She was aware of issues at the park. Residents had the opportunity to raise these at management/officer meetings and funds were available for improvements.

56 Motions under Council procedure rule 41

None.

The meeting closed at 8.45pm

Chairman

Date

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Council report



Report of Head of Legal and Democratic Services

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To: COUNCIL

DATE: 15 May 2014



Appointments to committees, panels and joint committees 2014/15

Recommendations

That Council:

1. appoints the committees and panels for the 2014/15 year, allocates seats to each political group and appoints councillors and substitutes to sit on them in accordance with paragraphs 7-9 of this report and as set out in the schedule circulated at the meeting;
2. appoints chairmen and vice-chairmen as set out in the schedule circulated at the meeting;
3. appoints councillors and substitutes to the Communities Capital Grant Scheme Panel in accordance with paragraphs 11-13 of this report and as set out in the schedule circulated at the meeting;
4. appoints councillors to the Licensing Acts Committee in accordance with paragraphs 14-16 of this report and as set out in the schedule circulated at the meeting;
5. appoints a representative and a substitute on the Oxfordshire Joint Health Overview and Scrutiny Committee;
6. appoints a representative and an observer substitute on the Thames Valley Police and Crime Panel;
7. appoints the Leader of Council, one Conservative member and one member from either the Independent, Labour or Liberal Democrat groups and substitutes to the Joint Staff Committee;
8. authorises the head of legal and democratic services to make appointments to any vacant committee or panel seat and substitute positions in accordance with the wishes of the relevant group leader.

Purpose of report

1. This report invites Council to agree appointments to those committees required to be politically balanced together with the Communities Capital Grant Scheme Panel and the Licensing Acts Committee. It also invites Council to make appointments to joint bodies.

Background

2. The Council is required by the Local Government and Housing Act 1989 to appoint committees, review the political balance and to appoint councillors to the committees annually.
3. In summary the Council has a duty to ensure the following principles are adhered to:
 - (i) not all seats are allocated to the same political group
 - (ii) a majority group should get the majority of seats on each committee
 - (iii) the seats allocated to groups on a committee reflect the membership of the Council as a whole
 - (iv) the allocation of the total number of seats on all committees reflects the membership as a whole
4. Ordinary committees are those that have decision-making powers but excluding the Licensing Acts Committee.

Political balance

5. The number of seats held by the various political groups is currently as follows:

Conservative	32	(66.67%)
Henley Residents	2	(4.17%)
Independent	4	(8.33%)
Labour	4	(8.33%)
Liberal Democrat	4	(8.33%)
Non-group councillors	2	(4.17%)

6. The Local Government (Committees and Political Groups) Regulations 1990 require a constituted political group to be two or more members. Mr Neville Harris and Mr Chris Quinton are not members of any political group and are therefore designated as non-group councillors.

Composition of committees

7. The ordinary committees and panels that are required to be politically balanced both individually and overall are as set out below.

Scrutiny Committee	13 members
Audit and Corporate Governance Committee	8 members
Planning Committee	14 members
General Licensing Committee	10 members
NNDR Appeals Panel	5 members
Housing Appeals Panel	5 members

8. The terms of reference of the committees and panels are set out in the constitution. No changes are proposed.

9. The political balance calculation and the entitlements to seats on committees are set out in the tables below. Fractional entitlements of less than one half are rounded down and entitlements of one half or more are rounded up. Once the political groups have been allocated their entitlement any remaining seats should be offered to the non-group councillors.

Group	Group members/ Total of Council	Total number of committee seats	Proportionate number of seats on committees
Conservative	32/48	55	37
Henley Residents	2/48	55	2
Independent	4/48	55	5
Labour	4/48	55	5
Liberal Democrat	4/48	55	5
TOTAL	46/48	55	54 (+1)

Committee	Total number of seats	Conservative	Henley Residents	Independent	Labour	Liberal Democrat
Scrutiny	13	9	1	1	1	1
Audit and Corporate Governance	8	5	0	1	1	1
Planning	14(13+1)*	9	1	1	1	1
General Licensing	10	7	0	1	1	1
NNDR Appeals	5	3	0	(1)*	(1)*	(1)*
Housing Appeals	5	3	0	(1)*	(1)*	(1)*
Total	55	36 (+ 1)	2	4 (+1)	4(+1)	4 (+1)

To obtain balance across the committees and overall the Conservative, Independent, Labour and Liberal Democrat Groups must gain a seat. Council needs to decide where these adjustments should be made.

If the Council wishes to allocate any seats not in accordance with the political balance requirements it can only do so if no councillor votes against the proposal.

* Council needs to agree the allocation of the seat on the Planning Committee and three of the four panel seats shown in brackets to the Conservative, Independent, Labour and Liberal

Democrat groups so that each group has the correct number of committee seats. This will leave one seat vacant which should be allocated to one of the non-group councillors.

Substitutes

10. Each political group is entitled to the same number of substitutes as the number of ordinary seats it holds on a committee or panel, and up to a maximum of three named substitutes where it has fewer than three members on a committee or panel.

Communities Capital Grant Scheme Panel

11. According to the Communities Capital Grant (CCG) Scheme Policy and Procedure Rules contained in the constitution, Council is required to apportion the twelve seats on the CCG Panel in accordance with the political balance of the Council. No member of the Cabinet is permitted to be a member of the panel. This panel is not subject to the regulations detailed in paragraph 3 of this report and therefore has no effect on the overall allocation of seats.
12. This would result in seats being allocated amongst the groups as follows: eight Conservatives, one Henley Residents, one Independent, one Labour and one Liberal Democrat.
13. In accordance with the Council's constitution each political group is entitled to substitutes as detailed in paragraph 10 above.

Licensing Acts Committees

14. The Licensing Acts Committee is a statutory committee and is not required to be included in the calculation of political balance. The committee meets rarely to deal with licensing and gambling policy matters but a membership of 10 provides a pool of councillors from which panels of three can be drawn to deal with hearings relating to personal licence holders and premises licence applications and reviews.
15. At its meeting in February 2005 Council agreed to appoint a committee in accordance with the political balance of the Council. This would result in seats being allocated amongst the groups as follows: seven Conservatives, one Independent, one Labour and one Liberal Democrat.
16. As a statutory committee with a specified membership substitutes may not be appointed.

Appointments

17. Officers have invited group leaders to submit the names of councillors they wish to sit on each of the above bodies. A table of nominations will be circulated at the meeting.

Joint Staff Committee

18. Council is also invited to appoint representatives to the Joint Staff Committee comprising the Leader of Council, a conservative councillor and a member from one of the opposition groups and substitutes in accordance with the council's procedure rules. A Cabinet member can act as substitute for the Leader of Council.

Joint Health Scrutiny Committee

19. Council is invited to appoint a representative and a named substitute to the Oxfordshire Joint Health Overview and Scrutiny Committee.

Thames Valley Police and Crime Panel

20. Council is invited to appoint a representative to the Thames Valley Police and Crime Panel. The constitution of the panel does not provide for formally appointed substitutes but Council may appoint one in an observer capacity.

Financial implications

21. There are no direct financial implications.

Legal implications

22. These are set out in the body of the report.

Conclusion

23. In deciding the committees and panels it wishes to establish for the 2014/15 year, Council is required to allocate seats to political groups in the same proportion as they hold on the council as a whole. Against that background, Council is invited to establish the committees and panels set out in the table in paragraph 9 of this report and to appoint councillors to them. Council is also invited to appoint councillors to the Communities Capital Grant Scheme Panel and the Licensing Acts Committee and to appoint representatives to the Joint Staff Committee, Oxfordshire Joint Health Overview and Scrutiny Committee and the Thames Valley Police and Crime Panel. If all committee and panel seats and substitute places are not filled at the meeting, Council is invited to delegate authority to the head of legal and democratic services to make appointments in accordance with the wishes of the relevant group leader.

Background Papers: None

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Council report



Report of Head of Legal and Democratic Services

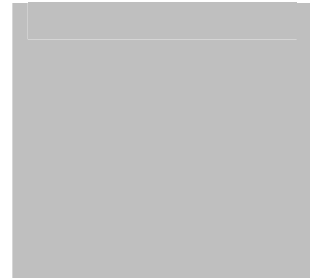
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To: COUNCIL

DATE: 15 May 2014



Review of the council's constitution

Recommendations

That Council:

1. agrees the revised officer employment procedure rules attached to this report;
2. agrees to amend the council procedure rules to reflect The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 as set out in paragraph 7 of this report;
3. authorises the head of legal and democratic services to make the necessary amendments to the constitution to reflect the Crime and Policing Act 2014;
4. notes the changes to the management structure set out in paragraphs 12 to 15 of this report;
5. authorises the head of legal and democratic services to amend the constitution to reflect the changes to the Community Investment Fund set out in paragraph 18 of this report;
6. authorises the head of legal and democratic services to make the necessary changes to the council's constitution to reflect the changes set out in this report;
7. authorises the head of legal and democratic services to make any minor or consequential amendments to the constitution required for clarification, consistency and compliance with the council's style guide.

Purpose of report

1. To consider proposed amendments to the constitution.

Strategic objectives

2. The constitution underpins all of the council's areas of activities and, therefore, contributes to the achievement of all its strategic objectives.

Background

3. Officers have undertaken a review of the constitution in accordance with the Council's decision when it first approved the constitution in 2001, and in pursuance of the requirements of Section 37 of the Local Government Act 2000 to keep the constitution under review. The Constitution Review Task Group, comprising councillors Anna Badcock (as substitute for Ann Ducker), David Bretherton, Bernard Cooper, Ann Midwinter, Jeni Wood considered the proposals at a meeting on 24 April 2014 and the views expressed at that meeting are included in this report.

Councillors' planning code of practice

4. The task group considered a draft revised code which was prepared by the Oxfordshire monitoring officers and reflects the revised code of conduct and guidance in respect of bias and determination.
5. The existence of such a code is designed to guide councillors and officers in the discharge of the council's statutory planning functions. It would also inform potential developers and the public generally of the high standards of ethical conduct adopted by the council in the exercise of its planning powers. Once in place it would be important that both councillors and officers adhere to the code; if they do not, planning decisions may be vulnerable to legal challenge and/or to a complaint to the Local Ombudsman.
6. The task group made a number of amendments which have been incorporated. However, since the meeting of the task group, the Lawyers in Local Government Group has issued a revised version. In light of this development officers have, in consultation with the task group, agreed to defer this issue to allow the Oxfordshire Monitoring Officers Group to consider the revised document at its June meeting prior to further consideration by the task group.

The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014

7. Regulation 2 of the above regulations amends the 2001 Regulations to require that the votes at key budget decision meetings of local authorities are recorded from 25 February 2014 (although the chairman called for recorded votes at the Council meeting held prior to this on 20 February). Regulation 4 requires the council to modify its council procedure rules in accordance with these amendments as soon as reasonably practicable after 25 February.

8. The task group supported a proposal to authorise the head of legal and democratic services to incorporate this amendment in the council's council procedure rules.

Crime and Policing Act 2014

9. The Act received Royal Assent on 13 March 2014 and makes provision in a number of areas relevant to the council including anti-social behaviour, crime and disorder and the Dangerous Dogs Act 1991.
10. Officers are currently reviewing the legislation and awaiting regulations and guidance.
11. The task group supported a proposal to authorise the head of legal and democratic services to make the necessary amendments to the constitution to ensure the current delegations reflect this legislation.

Management restructure - amendments to the council's constitution

12. The chief executive has undertaken a review of the management structure following the recent departure of Paul Staines, Head of Health and Housing, and the impending departure of Matt Prosser, Strategic Director.
13. After careful consideration, the chief executive, in consultation with the council leaders of South Oxfordshire and Vale of White Horse district councils, has decided not to replace Matt Prosser.
14. The chief executive has decided to replace Paul Staines with a redefined post of Head of Housing and Regeneration. Environmental Health will transfer on a permanent basis to Clare Kingston, Head of Corporate Strategy, who has taken temporary responsibility for the last month or so.
15. In addition technical services will transfer from Chris Tyson, Head of Economy, Leisure and Property to Andrew Down, Head of HR, IT and Customer Services from 27 May to allow Chris Tyson capacity to take a more leading role on certain key development projects following Matt Prosser's departure.
16. Chris Tyson and Clare Kingston will both report direct to David Buckle, Chief Executive, from 27 May.
17. Margaret Reed, Head of Legal and Democratic Services, has delegated authority to update the constitution to reflect the changes in staff responsibilities.

Community Investment Fund

18. On 13 December 2013 Mr B Service, Cabinet member for grants, made the following decision following a detailed review of the Community Investment Fund Grant Scheme.

- A. That the Community Investment Fund Grant Scheme is renamed the Communities Capital Grant Scheme.
- B. That the Communities Capital Grant Scheme policy is amended to include 'that because education is a function of Oxfordshire County Council we will not accept applications from schools. We will also not accept applications from school academies or free schools.'

Council is invited to agree that these changes are reflected in the constitution.

Revised constitution

19. Council is requested to approve the changes set out in this report for implementation from 27 May 2014.

Financial Implications

20. The democratic services budget for printing will meet the costs of producing copies of the amended constitution.

Legal Implications

21. Section 37 of the Local Government Act 2000 requires the Council to keep its constitution under review.

Conclusion

22. This report sets out a number of proposals to amend the constitution. Officers recommend that Council supports these proposals, and authorises the head of legal and democratic services to make these changes and any further minor or consequential amendments to the constitution.

Background paper: Paper to the Constitution Review Task Group

Officer employment procedure rules

RECRUITMENT AND APPOINTMENT

1. Declarations

- (a) The council will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing councillor or officer of the council; or of the partner of such persons.
- (b) No candidate so related to a councillor or an officer will be appointed without the authority of the relevant strategic director or an officer nominated by him/her.

2. Seeking support for appointment.

- (a) The council will disqualify any applicant who directly or indirectly seeks the support of any councillor for any appointment with the council. The content of this paragraph will be included in any recruitment information.
- (b) Subject to paragraph (c), no councillor will seek support for any person for any appointment with the council.
- (c) Nothing in paragraphs (a) and (b) above will preclude a councillor from giving a written reference for a candidate for submission with an application.

Recruitment of head of paid service and strategic directors

3. Where the council proposes to appoint the head of paid service or a strategic director the council will:

- (a) draw up a statement specifying:
 - (i) the duties of the officer concerned; and
 - (ii) any qualifications or qualities to be sought in the person to be appointed;
- (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
- (c) make arrangements for a copy of the statement mentioned in paragraph (3) (a) to be sent to any person on request.

Appointment and dismissal of head of paid service and strategic directors

4. The full Council will approve the appointment or dismissal of the head of paid service and strategic directors following the recommendation of such an appointment or dismissal by the joint staff committee. The joint staff committee must include at least one member of the cabinet. No offer of appointment may be made, or notice of dismissal given, until the council has approved any recommendation to that effect.

5. The full Council (the appointor) may not make or approve the appointment of the head of paid service or a strategic director until:
 - (a) the appointor has notified the head of HR, IT and customer services (head of HR) of the name of the person to whom the appointor wishes to make the offer and any other particulars which the appointor considers are relevant to the appointment;

 - (b) the head of HR has notified every member of the cabinet of:
 - (i) the name of the person to whom the appointor wishes to make the offer;
 - (ii) any other particulars relevant to the appointment which the appointor has notified to the head of HR and
 - (iii) the period within which any objection to the making of the offer is to be made by the leader of the council on behalf of the cabinet to the head of HR and

 - (c) either:
 - (i) the leader of the council has, within the period specified in the notice under paragraph (5)(b) above notified the appointor that neither he/she nor any other member of the cabinet has any objection to the making of the offer;
 - (ii) the head of HR has notified the appointor that no objection was received by him/her within that period from the leader of the council; or
 - (iii) the appointor is satisfied that any objection received from the leader of the council within that period is not material or is not well founded.

6. The full Council (the dismissor) may not give notice of the dismissal of the head of paid service or a strategic director until:
 - (a) the dismissor has notified the head of HR of the name of the person whom the dismissor wishes to dismiss and any other particulars which the dismissor considers are relevant to the dismissal;

- (b) the head of HR has notified every member of the cabinet of:
 - (i) the name of the person who the dismissor wishes to dismiss;
 - (ii) any other particulars relevant to the dismissal which the dismissor has notified to the head of HR and
 - (iii) the period within which any objection to the dismissal is to be made by the leader of the council on behalf of the cabinet to the head of HR; and
- (c) either:
 - (i) the leader of the council has, within the period specified in the notice under paragraph (6)(b) above notified the dismissor that neither he/she nor any other member of the cabinet has any objection to the dismissal;
 - (ii) the head of HR has notified the dismissor that no objection was received by him/her within that period from the leader of the council; or
 - (iii) the dismissor is satisfied that any objection received from the leader of the council within that period is not material or is not well founded.

Disciplinary action

7. No disciplinary action in respect of the head of paid service, the monitoring officer, or the Chief Finance (Section 151) Officer, except action described in paragraph 8 may be taken by the council, other than in accordance with a recommendation in a report made by a designated independent person under regulation 7 of the Local Authorities (Standing Orders) (England) Regulations 2001 (investigation of alleged misconduct.)
8. The action mentioned in paragraph 7 is the suspension of the officer for the purpose of investigating the alleged misconduct occasioning the action; and any such suspension must be on full pay and terminate no later than the expiry of two months beginning on the day on which the suspension takes effect.

APPOINTMENT AND DISMISSAL OF, AND DISCIPLINARY ACTION AGAINST, OFFICERS BELOW STRATEGIC DIRECTOR

9. **Officers below strategic director.** The appointment and dismissal of, and disciplinary action against, officers below strategic director (other than assistants to political groups) is the responsibility of the head of paid service or his/her nominee, and may not be made by councillors.
10. **Assistants to political groups.** The appointment of an assistant to a political group, as defined in the Local Government and Housing Act 1989, shall be made in accordance with the wishes of that political group.

11. Councillors will not be involved in disciplinary action against any officer below strategic director.

Dismissal

12. Councillors will not be involved in the dismissal of any officer below strategic director.