

# Council



Listening Learning Leading

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Date: 8 July 2020

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## Summons to attend a meeting of Council

to be held on

**THURSDAY 16 JULY 2020 AT 6.00 PM**

### VIRTUAL MEETING

Joining instructions for members of the public: To watch the virtual meeting, you must copy the following link to your internet browser:

<https://tinyurl.com/y7fh6b53>

When your web browser opens, select "Watch on the Web instead" button and then when the "Welcome to the live event!" window opens select "join anonymously".

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MARGARET REED  
Head of Legal and Democratic

Note: Please remember to sign the attendance register.

# Agenda

## 1 Apologies for absence

To record apologies for absence.

## 2 Minutes (Pages 8 - 25)

To adopt and sign as a correct record the Council minutes of the meetings held on 13 and 20 February 2020 – attached.

## 3 Declarations of disclosable pecuniary interest

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

## 4 Urgent business and chairman's announcements

To receive notification of any matters which the chairman determines should be considered as urgent business and the special circumstances which have made the matters urgent, and to receive any announcements from the chairman.

## 5 Chief Executive's update

To receive any updates from the chief executive.

## 6 Public participation

To receive any written questions or written statements from members of the public.

## 7 Petitions

To receive any petitions from the public.

## 8 Progress on approved Council motions (Pages 26 - 41)

To note progress on the approved Council motions – report attached.

## 9 Virtual meeting procedure rules and scheme of delegation (Pages 42 - 51)

To consider the report of the head of legal and democratic – attached.

## 10 Report of the leader of the council

To receive the report of the leader of the council.

## 11 Questions on notice

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

### **A. Question from Councillor David Bartholomew to Cabinet Member for planning, Councillor Anne-Marie Simpson**

This Council must respond to Reading's Transport Consultation by the end of August. Three key elements that impact on South Oxfordshire are: 1) Third Thames Crossing; 2) North Reading Orbital (going through South Oxfordshire); 3) Three 'Park & Rides' to serve Reading but located in South Oxfordshire. The Cabinet's position on 1) is already agreed as a result of a Full Council decision last year, but what position is being taken with regard to items 2) and 3)?

### **B. Question from Councillor David Bartholomew to Cabinet Member for finance, Councillor Leigh Rawlins**

Now that we are moving out of lockdown, what is the timetable for recovering unspent funds from the Councillor COVID-19 Grant Scheme (March 2020)?

### **C. Question from Councillor Caroline Newton to the Cabinet Member for planning, Councillor Anne-Marie Simpson**

Given that the independent inspector's decision on the Local Plan 2034 is not anticipated much before the end of the year, could the Cabinet member for planning please clarify the timing of the stages of work towards a formal decision on Home England's application to develop Chalgrove Airfield, including the closing date for public consultation?

### **D. Question from Councillor Caroline Newton to the Cabinet Member for housing and environment, Councillor David Rouane**

At what point during the budget-setting process did the proposal of increasing charges for dog bins arise, and what consideration was given to the disproportionate financial impact this might have on smaller, rural parish councils?

### **E. Question from Councillor Mocky Khan to the Leader of the council, Councillor Sue Cooper**

The ruling group and the Leader have spoken many times that the council should be inclusive, decisions made collectively, and information shared. Can the Leader explain why despite numerous requests, Group Leaders have not been permitted to attend Cabinet Briefings? What are the reasons for the exclusions?

### **F. Question from Councillor Mocky Khan to the Cabinet Member for housing and environment, Councillor David Rouane**

This council passed a motion regards Civil Parking Enforcement (CPE) in July 2018. What progress has been made since? In addition, when is the feasibility study that was due for publication in January going to be released and what reassurance can be given to inform residents that CPE is high on the agenda?

## **G. Question from Councillor Mocky Khan to the Cabinet Member for Didcot Garden Town, Councillor David Rouane**

On 25 June, I read about the Didcot Gateway Project being withdrawn/amended in the Oxford Mail. Can the Cabinet member explain why South Oxfordshire District Councillors, Didcot Garden Town Advisory Board or the Didcot Town Council were not informed and had to read the article to find out? Also, what reassurance can the Cabinet member give to ensure key stakeholders will be consulted before future decisions are made in regard to Didcot Garden Town?

## **12 Motions on notice**

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

### **A. Motion to be proposed by Councillor David Bartholomew, seconded by Councillor Jane Murphy**

Currently, two individual councillors not members of a recognised party can declare themselves to be a Political Group, with one being the Leader and the other Deputy Leader. This confers a number of advantages on these councillors, including the right to attend Political Group Leader meetings and receive Political Group Leader briefings. These councillors are thus put in a position of advantage over other councillors without a genuine mandate from a real political group.

This Council asks that the Leader of the Council writes to the Secretary of State requesting that the relevant legislation is amended to state that a Political Group should constitute a minimum of three councillors unless the two councillors are part of a nationally recognised party such as Conservative, Labour, Liberal Democrat or Green.

### **B. Motion to be proposed by Councillor Jane Murphy, seconded by Councillor Ian White**

Council notes that since early March the Covid-19 pandemic has had an unprecedented impact on our communities. Loved ones have lost their lives and many have been seriously ill; some are still fighting the virus as patients or as clinical staff.

Council recognises the huge effort of our officers during the period. Adjusting to working remotely, volunteering to go beyond the day job to help support shielded people and those isolating, and working long hours to keep vital council services running. Council also recognises that the Towns and Parishes and the community groups and their members and members of the public responded enthusiastically and rapidly to the challenges that we all faced and continue to face.

Council thanks our residents for their commitment and support. This includes the members of our councils and their staff, the First Responders, the organisers and members of the Good Neighbours' Schemes and Street Volunteers and similar organisations, the people who volunteer or knit or sew and give their time and also those who 'do nothing!' We know that they do nothing because they tell us; how often, when thanked, have you heard people say 'oh, it was nothing!' And we must not forget those who, just by being there, to listen, or step in in an emergency, help

to reduce the stress and worry.

Council thanks everyone for the heroic part they have played, and will continue to play, helping residents in need of support through this dangerous and uncertain time.

**C. Motion to be proposed by Councillor Jane Murphy, seconded by Councillor Ian Snowdon**

Council recognises that the COVID-19 pandemic has thrown both the national and local economy into a state of turmoil and crisis. The impact on our local businesses and our local communities will only grow in the coming months and requires an immediate response.

This Council will urgently set up a new committee called the Local Economy Resilience Advisory Committee, to guide this council's response to this crisis. Following the model of the Climate Emergency Advisory Committee, this new committee will be advisory to the Cabinet and should be made up of 12 members in total based on political balance (the head of legal and democratic to make appointments to the committee seats and substitute positions in accordance with the wishes of the relevant group leader). The term of reference for the new committee should be drawn up by the Acting Deputy Chief Executive – Place, in consultation with the Cabinet member for development and regeneration and group leaders. It will operate alongside and have equal weight to the Climate Emergency Advisory Committee, to ensure this council works cross party and does everything it can to help local business, the high streets of our market towns and villages, and our communities survive this economic shock.

**D. Motion to be proposed by Councillor Ian White, seconded by Councillor Jane Murphy**

Changes to the Council's Constitution have been made by the Chief Executive Officer (CEO) under Section 78 of the Coronavirus Act 2020, as documented in the CEO's Decision Notice of the 18 May 2020.

These include the removal of the automatic referral of planning applications to the Planning Committee where Parish or Town Councils views are at odds with officer recommendations. This is an unnecessary removal of transparency, an affront to the natural democratic process, is disproportionate and inappropriate.

Additionally, a requirement has been introduced that where a Ward Councillor refers an application to the Planning Committee it has to be subject to the agreement of two other Councillors, being the Chair and Vice-Chair of the Planning Committee. This effectively creates a 'right of Veto' over a fellow Councillor, thus establishing an arbitrary two-tier system of Councillors where one Councillor effectively holds power over another, with no mechanism for appeal. Again, this is undemocratic and inappropriate.

For these reasons, this Council instructs that the changes referred to should be rescinded immediately, thereby restoring democratic control.

### **E. Motion to be proposed by Councillor Jane Murphy, seconded Caroline Newton**

This Council recognises the excellent work of all local government staff across Oxfordshire during the COVID-19 crisis. Councils have worked together in difficult times, showing that organisational barriers to joint working can be overcome.

All Councils have gone the extra mile in delivering services to our residents that prioritise the most vulnerable. This has inevitably incurred additional costs – c. £90 million across all tiers. All Councils acknowledge the additional Government funding to date, but we have a duty to respond to the national financial challenge ahead and to be open with residents.

All Councils across Oxfordshire are now considering how they can balance budgets and protect frontline services. No Councillor nor party wants to see drastic cuts to vital Council services. We, as a group of democratically elected leaders, should take the opportunity provided by the devolution white paper to ensure that we provide the best possible public services for our residents.

Further to the motion passed at the December 2019 Council meeting, and reflecting that much has changed since, that Council calls on the Leader to write to the Secretary of State requesting that we re-open and actively pursue consideration of a Unitary Authority for Oxfordshire and re-start a wide-ranging conversation with our local authority partners, residents and stakeholders to explore all options for a new future for Oxfordshire. Our aims are clear: safeguard public services in the future, support a vibrant local democracy and ensure a strong economy.

### **F. Motion proposed by Councillor Jo Robb, seconded by Councillor Andrea Powell.**

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

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

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

Only a handful of inland lakes in the UK – *and no rivers* – have Bathing Quality Water status.

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

1. Asks officers to work with appropriate partners such as the Environment Agency, The Rivers Trust and Surfers Against Sewage to begin the process

- of applying for Bathing Quality Water status for the River Thames in South Oxfordshire;
2. Calls on Thames Water to draft and implement an action plan for the elimination of Controlled Sewage Overflows (CSOs) across its sewage treatment network;
  3. Calls on Thames Water to provide accurate, real-time and publicly available information about Controlled Sewage Overflows into the Thames and its tributaries;
  4. Asks the Leader of the Council to write to the leaders of neighbouring Councils along the river inviting them to appoint Thames Champions to work together to enhance the safety, cleanliness and biodiversity of the river and make the River Thames “Safe for All.”

MARGARET REED

Head of Legal and Democratic

# Minutes

## OF A MEETING OF THE

# Council



Listening Learning Leading

**HELD ON THURSDAY 13 FEBRUARY 2020 AT 6.00 PM**

**THE FOUNTAIN CONFERENCE CENTRE, HOWBERY PARK, CROWMARSH  
GIFFORD**

### **Present:**

David Bretherton (Chairman)

Ken Arlett, Anna Badcock, Pieter-Paul Barker, David Bartholomew, Robin Bennett, Sam Casey-Rerhaye, Sue Cooper, Peter Dragonetti, Maggie Filipova-Rivers, Stefan Gawrysiak, Elizabeth Gillespie, Sarah Gray, Kate Gregory, Victoria Haval, Simon Hewerdine, Lorraine Hillier, Kellie Hinton, Alexandrine Kantor, Mocky Khan, George Levy, Lynn Lloyd, Axel Macdonald, Jane Murphy, Caroline Newton, Andrea Powell, Leigh Rawlins, Jo Robb, Sue Roberts, David Rouane, Anne-Marie Simpson, Ian Snowdon, Alan Thompson, David Turner, Ian White and Celia Wilson

**Officers:** Steven Corrigan, Simon Hewings, William Jacobs, Margaret Reed and Mark Stone

### **52 Minutes**

**RESOLVED:** to approve the minutes of the meeting held on 19 December 2019 as a correct record and agree that the chairman sign them as such.

### **53 Declarations of disclosable pecuniary interest**

None.

### **54 Urgent business and chairman's announcements**

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

### **55 Public participation**

The chairman reported that Mrs Camps-Walsh, Chairman Beckley and Stowood Neighbourhood Plan Steering Committee, had registered to address Council regarding Cabinet's decision to withdraw grants for neighbourhood plans. He advised that Mrs Camps-Walsh would address Council at agenda item 10 – revenue budget 2020/21 and capital programme to 2024/25.

With the agreement of Council, the chairman allowed Mr David Dickie, representing Henley-on-Thames & Clean Air for Henley, Greener Henley, to address Council. Mr Dickie referred to the report on air quality considered by the council's Scrutiny committee at its meeting on 21 January 2020. He referred to the air pollution issues facing Henley-on-Thames – the high numbers of children using inhalers and 14 days in January when the town exceeded the nitrogen dioxide level. He expressed concern that a number of activities undertaken in Henley by both the town council and Clean Air for Henley were not covered in the report. He set out a number of actions that should be taken forward to address poor air quality issues including more electric vehicle charging points, fines for drivers of vehicles idling, a reduction in the number of HGVs in the town and differential car parking charges.

## **56 Petitions**

No petitions were submitted to Council.

## **57 Treasury management mid-year monitoring report 2019/20**

Council considered Cabinet's recommendations, made at its meeting on 30 January 2020, on the treasury management activities for the first six months of 2019/20 and an update on the current economic conditions with a view to the remainder of the year.

The Joint Audit and Governance Committee had considered the report at its meeting on 27 January 2020 and had not recommended any adjustments to the strategy as a result of the first six months activities. That committee and Cabinet had concluded that the treasury management activities had operated within the agreed parameters set out in the approved treasury management strategy and policy and supported the changes to the counterparty limits.

### **RESOLVED: to**

1. note that the Joint Audit and Governance Committee is satisfied that the treasury activities are carried out in accordance with the treasury management strategy and policy; and
2. approve the interim head of finance's report to Cabinet on 30 January 2020;
3. agree the changes to the counterparty limits identified in paragraphs 21 and 22 of the interim head of finance's report.

## **58 Treasury management and investment strategy 2020/21**

Council considered Cabinet's recommendation, made at its meeting on 30 January 2020, on the council's treasury management and investment strategy for 2020/21.

The Joint Audit and Governance Committee had considered the report at its meeting on 27 January 2020 and had not recommended any adjustments to the strategy and resolved to recommend Cabinet to approve the treasury management strategy, the prudential indicators and limits for 2020/21 to 2022/23 and the annual investment strategy 2020/21 as set out in the report. Cabinet agreed to recommend Council approve the strategy.

**RESOLVED:** to

1. approve the treasury management strategy 2020/21, set out in appendix A to the interim head of finance's report to Cabinet on 30 January 2020;
2. approve the prudential indicators and limits for 2020/21 to 2022/23, as set out in appendix A to the interim head of finance's report; and
3. approve the annual investment strategy 2020/21, set out in appendix A (paragraphs 41 to 82) to the interim head of finance's report, and the lending criteria detailed in table 5 to that report.

**59 Capital strategy 2020/21 to 2029/30**

Council considered Cabinet's recommendation, made at its meeting on 30 January 2020, on the capital strategy for 2020/21 to 2029/30. Cabinet agreed to recommend Council approve the strategy.

**RESOLVED:** to approve the capital strategy 2020/21 to 2029/30 which is contained in appendix one of the interim head of finance's report to Cabinet on 30 January 2020.

**60 Revenue Budget 2020/21 and Capital Programme to 2024/25**

Prior to the conclusion of the debate on this item, and prior to the expiry of two and a half hours, Council agreed, in accordance with council procedure rule 12, to extend the meeting for a further period not exceeding 30 minutes, and to defer the consideration of motions on notice (agenda item 15) until the Council meeting on 20 February 2020.

Mrs Camps-Walsh addressed Council against the Cabinet decision, made at its meeting on 30 January, to withdraw grant support for groups progressing neighbourhood plans. She stated that, contrary to information contained in the Cabinet report, the end of the grant support will have a significant detrimental effect on communities and could reduce the number of plans progressed. No consultation had been undertaken with neighbourhood plan groups. The other grants referred to in the report involved a complicated application process. To date the government had not confirmed whether government funding to local authorities would cease and therefore such a decision was premature. No analysis of the savings was set out in the report.

The chairman referred to regulations that require 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. In accordance with the regulations he 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 considered Cabinet's recommendations, made at its meetings on 11 February 2020, on the revenue budget 2020/21, and the capital programme to 2024/25.

The Scrutiny Committee considered the report at its meeting on 4 February 2020. The committee recommended Cabinet allocate £500,000 to fund the Communities Capital and Revenue Grant Scheme and not to half the councillor grants budget from £180,000 to £90,000. The committee did not support Cabinet's minded decision, made at its meeting on 30 January, to maintain car park fees and charges at current levels pending a review later in the year.

Council noted the report of the chief finance officer on the robustness of the budget estimates and the adequacy of the reserves.

Councillor Turner, Cabinet member for finance, presented the Cabinet's proposals for the revenue budget 2020/21 and capital programme to 2024/25. On behalf of the council he thanked officers for their part in continuing to control costs and in preparing the draft budget.

Councillor Turner moved and Councillor Cooper seconded a motion to approve Cabinet's recommendations as follows: to

1. set the revenue budget for 2020/21 as set out in appendix A.1 to the interim head of finance's report to Cabinet on 30 January 2020;
2. approve the capital programme for 2020/21 to 2024/25 as set out in appendix D.1 to the report, together with the capital programme changes as set out in appendix D.2 to the report;
3. set the council's prudential limits as listed in appendix E to the report;
4. approve the medium term financial plan to 2024/25 as set out in appendix F to the report;
5. allocate £500,000 to fund the Communities Capital and Revenue grant scheme; and
6. ask officers to review the Medium Term Financial Strategy 2018/19 to 2022/23 following the 2020 spending review and Ministry of Housing, Communities and Local Government announcements of changes to the council's future funding streams.

In moving the recommendation Councillor Turner drew attention to the funding issues facing the council – rising expenditure with lower central government funding and lower investment returns.

A number of councillors spoke against the budget proposals. Some expressed disappointment that the Cabinet had not engaged with other political groups during the budget process as had been the case in previous years. The objectives of the transformation activity fund were vague with no measurable targets. The savings proposals and increase in fees would impact on rural communities most – for example the increase in the charge for dog litter bin collections and cuts to the planning enforcement team reducing staff resources to address unauthorised/speculative development. A number of councillors opposed cuts to neighbourhood planning grants and expressed the view that the alternative funding could be difficult for groups to access. The one year grant to fund the work programme of the Climate Emergency Advisory Committee was inadequate and failed to address the urgency of the climate emergency. There were no proposals to harness the economic benefits of the River Thames. Others expressed concern at the lack of capital funding for leisure and arts facilities – Didcot Wave and Cornerstone. Concern was also expressed regarding the delay to the review of car park

fees and charges which currently showed a deficit. A number of councillors noted that a failure to increase council tax in previous years had placed pressure on the council’s reserves to support the revenue budget and there were no plans to address the gradual decline in these reserves. Others did not support the reduction in the budget for grants which local communities rely on to fund community projects.

However, the majority of councillors supported the budget proposals. The inclusion of a transformation budget will include a review of a number of services and have the aim of achieving greater income generation. The reduction in the grants budget, whilst regrettable, was necessary and should not detract from the financial support provided to many organisations over recent years. The support for the one-year work programme aimed at helping to tackle the climate emergency in South Oxfordshire would help the council work towards achieving its zero target for all its facilities by 2025 and support other initiatives. In light of the uncertainty over New Homes Bonus, and in anticipation of the government’s review of local government funding, it was necessary to set a prudent budget recognising the current pressures on funding. The budget did this with immediate cost savings and increased charges for some council services, garden waste and dog bin emptying services, and protected front line services.

In accordance with regulations requiring councils to record the names of those councillors voting in favour, against or abstaining from any vote on the budget the chairman called for a recorded vote which was carried with the voting being as follows:

<b>For</b>	<b>Against</b>	<b>Abstain</b>
<b>Councillors</b>	<b>Councillors</b>	<b>Councillors</b>
Ken Arlett	Anna Badcock	
Pieter-Paul Barker	David Bartholomew	
Robin Bennett	Lorraine Hillier	
David Bretherton	Mocky Khan	
Sam Casey-Rerhaye	Lynn Lloyd	
Sue Cooper	Axel Macdonald	
Peter Dragonetti	Jane Murphy	
Maggie Filipova-Rivers	Caroline Newton	
Stefan Gawrysiak	Ian Snowdon	
Elizabeth Gillespie	Alan Thompson	
Sarah Gray	Ian White	
Kate Gregory	Celia Wilson	

For	Against	Abstain
Victoria Haval		
Simon Hewerdine		
Kellie Hinton		
Alexandrine Kantor		
George Levy		
Andrea Powell		
Leigh Rawlins		
Jo Robb		
Sue Roberts		
David Rouane		
Anne-Marie Simpson		
David Turner		
<b>24</b>	<b>12</b>	<b>0</b>

**RESOLVED: to**

1. set the revenue budget for 2020/21 as set out in appendix A.1 to the interim head of finance’s report to Cabinet on 30 January 2020;
2. approve the capital programme for 2020/21 to 2024/25 as set out in appendix D.1 to the report, together with the capital programme changes as set out in appendix D.2 to the report;
3. set the council’s prudential limits as listed in appendix E to the report;
4. approve the medium term financial plan to 2024/25 as set out in appendix F to the report;
5. allocate £500,000 to fund the Communities Capital and Revenue grant scheme; and
6. ask officers to review the Medium Term Financial Strategy 2018/19 to 2022/23 following the 2020 spending review and Ministry of Housing, Communities and Local Government announcements of changes to the council’s future funding streams.

**61 Oxfordshire Electric Vehicle (EV) Infrastructure Steering Group**

Council noted that Oxfordshire County Council is proposing to develop an Oxfordshire Electric Vehicle Infrastructure Strategy to establish the principles and an action plan to

deliver the charging infrastructure needed to support the transition to low emission vehicles in the county.

To assist with the development of the strategy, the county council had invited South Oxfordshire District Council to appoint a councillor to the Oxfordshire Electric Vehicle Infrastructure Steering Group. At its meeting on 28 January 2020 the Climate Emergency Advisory Committee considered an officer proposal that South Oxfordshire District Council's representative should be a member of the committee. The committee agreed to recommend Council to appoint Councillor Caroline Newton as the council's representative.

**RESOLVED:** to

1. appoint Councillor Caroline Newton as the council's representative on the Oxfordshire Electric Vehicle Infrastructure Steering Group;
2. appoint all members of the Climate Emergency Advisory Committee as substitute members.

## **62 Pay policy statement 2020/21**

Council considered the report of the acting deputy chief executive – transformation and operations on the adoption of a pay policy statement to meet the requirements of the Localism Act.

**RESOLVED:** to approve the pay policy statement for 2020/21 attached to the report of the acting deputy chief executive – transformation and operations to Council on 13 February 2020.

## **63 Report of the leader of the council**

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

## **64 Questions on notice**

1. Question from Councillor Anna Badcock to Councillor Pieter-Paul Barker, Cabinet member for partnership and insight

“Can you detail the timescales for delivering against the climate emergency motion that was carried by the Conservative led Council in April 2019”?

### **Written answer**

The climate emergency declaration in April 2019 stated the intention of adopting an early carbon neutral target. Following the establishment of the Climate Emergency Advisory Committee 18 July 2019, the Committee have recommended targets for carbon neutrality to Cabinet and Council, which were approved at the beginning of October 2019. These targets aim for South Oxfordshire District Council to become a carbon neutral council by 2025 and for South Oxfordshire to become a carbon neutral district by 2030.

Committee members have worked with officers to develop a detailed one-year work programme proposal, to provide a strong foundation for working towards the adopted carbon neutral targets and a longer-term strategy to address the climate emergency. The

programme includes a range of projects, for example seeking to embed sustainability in Council policies and initiate some feasibility studies around energy savings in council buildings and leisure centres, including identifying opportunities to introduce solar energy and heat pumps. As well as, measures to support biodiversity, such as exploring the most appropriate tree planting projects.

The one-year programme was recommended by the Committee at their meeting on 28 January 2020 and that recommendation accepted at Cabinet on 30 January 2020. The proposed budget for implementation of the one-year programme will now go to Council for final approval in amongst their other budget priorities on 13 February 2020.

The projects within the one-year programme will be reviewed again by the Committee and officers pending Council's decision, in order to prioritise each action/project and implement timescales for their delivery.

### Supplementary question

In response to a supplementary question seeking further detail of the one year work programme the Cabinet member responded that he was content with the detail provided in the written response but was happy to discuss further outside the meeting.

2. Question from Councillor Ken Arlett to Councillor David Rouane, Cabinet member for housing and environment

“Over the past six months we have had on going complaints from members of the public, with the cleaning of the three toilet blocks in Henley. These complaints have all been serialised in the local Henley Standard.

Can the Cabinet Member please explain why this contract has been let for another nine months to the same contractor, when they are unable to clean the toilets to an acceptable standard”?

### Written answer

“We agree that the level of service provided in Henley is currently not acceptable and the service manager is working with the contractor to agree remedial action. It helps if the complaints are directed to the contractor (details on the website and signs on the toilets themselves) as the arrangement is for them to react to cleaning issues and phoning them directly helps to make them aware of the issue and react more quickly.

The councils have entered into a short-term, interim contract with the existing contractor from 1 January to 31 October 2020 and during this time we will review the service delivery options available to us which include procuring a new contract, including this service as part of a larger contract or bringing the service back in house.

We have started work on a project to repair and revamp the toilets in Greys Road. Officers are working up options to decide how best to use the space within the building including improved facilities for disabled users and which may also include a welfare space for the car park inspectors”.

3. Question from Councillor Celia Wilson to Councillor Maggie Filipova-Rivers, Cabinet member for community services

“Can you give assurances that any review of the Didcot Cornerstone Arts Centre will be:

- a) open and transparent;
- b) involve all concerned people including the population and elected representatives of Didcot; and
- c) allow enough time for remedies to the difficulties to be put in place”

**Written answer**

“The Cornerstone Arts Centre based in Didcot is important to us all, but in light of the financial position we find ourselves in, it is sensible and proportionate to review Cornerstone. Currently, we are predicting this year’s subsidy to be in the region of £642,000, which is more than double the original commitment from South Oxfordshire District Council when it was originally built and is simply not sustainable going forward. I am deeply committed and can assure you that the much needed review of the medium to long term future of Cornerstone will be open, transparent and wide-reaching in its engagement. My intention is to have a cross party member working group, supported by officers, that can lead on the review and engagement with users of the centre, residents, businesses, members and officers. Whatever the future is for Cornerstone, we must move to a position where the subsidy is effectively reduced back to £250,000 as identified within the medium term financial plan and ensure that the future of the centre is sustainable in the long term”.

**Supplementary question**

In response to a supplementary question the Cabinet member confirmed that the council would facilitate repairs to Cornerstone and seek new ways to make the centre profitable.

**65 Motions on notice**

Council agreed to defer consideration of the motions to the Council meeting on 20 February 2020.

**66 Exclusion of the public**

**RESOLVED:** 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.

**67 Corporate services contract**

Council considered and agreed Cabinet’s confidential recommendation, made at its meeting on 11 February 2020, on the corporate services contract (see confidential minute).

The meeting closed at 8.50pm

Chairman

Date

# Minutes

OF A MEETING OF THE

# Council



Listening Learning Leading

HELD ON THURSDAY 20 FEBRUARY 2020 AT 6.00 PM

THE FOUNTAIN CONFERENCE CENTRE, HOWBERY PARK, CROWMARSH  
GIFFORD

## Present:

David Bretherton (Chairman)

Pieter-Paul Barker, David Bartholomew, Robin Bennett, Sam Casey-Rerhaye, Sue Cooper, Peter Dragonetti, Stefan Gawrysiak, Elizabeth Gillespie, Sarah Gray, Victoria Haval, Simon Hewerdine, Lorraine Hillier, Alexandrine Kantor, Mocky Khan, George Levy, Lynn Lloyd, Axel Macdonald, Andrea Powell, Leigh Rawlins, Jo Robb, Sue Roberts, David Rouane, Anne-Marie Simpson, Alan Thompson, David Turner, Ian White and Celia Wilson

## Apologies:

Ken Arlett, Anna Badcock, Maggie Filipova-Rivers, Kate Gregory, Kellie Hinton, Jane Murphy, Caroline Newton and Ian Snowdon tendered apologies.

**Officers:** Steven Corrigan, Simon Hewings, Margaret Reed and Mark Stone

## 68 Declarations of disclosable pecuniary interest

None.

## 69 Urgent business and chairman's announcements

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

## 70 Public participation

No members of the public had registered to address Council.

## 71 Petitions

No petitions were submitted from members of the public.

**72 Council tax 2020/21**

Council considered the report of the interim head of finance on the setting of the Council Tax for the 2020/21 financial year.

In accordance with 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 which was carried with the voting being as follows:

<b>For</b>	<b>Against</b>	<b>Abstain</b>
<b>Councillors</b>	<b>Councillors</b>	<b>Councillors</b>
Pieter-Paul Barker		
David Bartholomew		
Robin Bennett		
David Bretherton		
Sam Casey-Rerhaye		
Sue Cooper		
Peter Dragonetti		
Stefan Gawrysiak		
Elizabeth Gillespie		
Sarah Gray		
Victoria Haval		
Simon Hewerdine		
Lorraine Hillier		
Alexandrine Kantor		
Mocky Khan		
George Levy		
Lynn Lloyd		
Axel Macdonald		
Andrea Powell		

<b>For</b>	<b>Against</b>	<b>Abstain</b>
Leigh Rawlins		
Jo Robb		
Sue Roberts		
David Rouane		
Anne-Marie Simpson		
Alan Thompson		
David Turner		
Ian White		
Celia Wilson		
<b>28</b>	<b>0</b>	<b>0</b>

**RESOLVED:**

1. To note that at its meeting on 19 December 2019 the council calculated the council tax base 2020/21:
  - (a) for the whole council area as 57,848.5 [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 2020/21 (excluding parish precepts) is £7,302,795
3. That the following amounts be calculated for the year 2020/21 in accordance with Sections 31 to 36 of the Act:
  - (a) £77,801,531 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) £64,974,585 being the aggregate of the amounts which the council estimates for the items set out in Section 31A(3) of the Act.
  - (c) £12,826,946 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) £221.73 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) £5,524,151 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) £126.24 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 2020/21 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	£1,018.29
Band B	£1,188.01
Band C	£1,357.72
Band D	£1,527.44
Band E	£1,866.87
Band F	£2,206.30
Band G	£2,545.73
Band H	£3,054.88

5. To note that for the year 2020/21 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	£144.19
Band B	£168.22
Band C	£192.25
Band D	£216.28
Band E	£264.34
Band F	£312.40
Band G	£360.47
Band H	£432.56

6. That the council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in appendix 3 as the amounts of council tax for 2020/21 for each part of its area and for each of the categories of dwellings shown in appendix 3.

1. To determine that the council's basic amount of council tax for 2020/21 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992.

### 73 Items from Council meeting held on 13 February

The chairman advised that three motions were deferred from the Council meeting held on 13 February 2020 which would be taken at agenda item 10.

### 74 Report of the leader of the council

Councillor Sue Cooper, Leader of the council, referred to her update provided at the Council meeting held on 13 February 2020. In response to a question she advised that there was no further update on the Didcot Gateway project.

### 75 Questions on notice

No questions were submitted by councillors under Council procedure rule 33.

### 76 Motions on notice

**A. With the agreement of Council Councillor Kantor moved and Councillor Casey-Rerhaye seconded, the altered motion set out below with the deleted words shown by a strikethrough and additional wording shown in bold:**

Council notes the International Holocaust Remembrance Alliance (IHRA) definition of Antisemitism is the most widely accepted and recognized definition of anti-Jewish racism. It states that: Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of Antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.

Council notes the All Party Parliamentary Group on British Muslims (APPG) definition of Islamophobia: Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness.

Council notes that, by using these definitions, it helps to understand, identify, and tackle Antisemitism and Islamophobia.

Council holds the right to freedom of speech and freedom of religion as fundamentals but freedom of speech is not an unlimited right, and should not be used to advocate racial or religious hatred that constitutes incitement to discrimination, hostility or violence.

Council resolves to:

- condemn all hate crimes and deplore the rise in hate crimes against members of the Jewish and Muslim communities in Britain.

- ~~condemn all inflammatory rhetoric in political discourse: including antisemitic and islamophobic tropes used by politicians and public servants.~~

- **condemn inflammatory rhetoric in political discourse that is antisemitic or islamophobic.**

- adopt the IHRA definition of Antisemitism in full and without amendment.

- adopt the APPG definition of Islamophobia in full and without amendment.

- ask officers to update this council's equality policies to this effect.

After debate and on being put to the vote the motion was agreed. Whilst the majority of councillors supported the motion a number expressed concern regarding the definitions of antisemitism and islamophobia referred to in the motion.

**RESOLVED:**

That Council notes the International Holocaust Remembrance Alliance (IHRA) definition of Antisemitism is the most widely accepted and recognized definition of anti-Jewish racism. It states that: Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of Antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.

Council notes the All Party Parliamentary Group on British Muslims (APPG) definition of Islamophobia: Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness.

Council notes that, by using these definitions, it helps to understand, identify, and tackle Antisemitism and Islamophobia.

Council holds the right to freedom of speech and freedom of religion as fundamentals but freedom of speech is not an unlimited right, and should not be used to advocate racial or religious hatred that constitutes incitement to discrimination, hostility or violence.

Council resolves to:

1. condemn all hate crimes and deplore the rise in hate crimes against members of the Jewish and Muslim communities in Britain;
2. condemn inflammatory rhetoric in political discourse that is antisemitic or islamophobic;
3. adopt the IHRA definition of Antisemitism in full and without amendment;
4. adopt the APPG definition of Islamophobia in full and without amendment;
5. ask officers to update this council's equality policies to this effect.

**B. Councillor Anne-Marie Simpson moved, and Councillor Victoria Haval seconded, the motion as set out at agenda item 15 (2) for the Council meeting on 13 February 2020**

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

**RESOLVED:**

That Council notes the risks associated with modern life are significantly different from those of 1847 when the Town Police Clauses Act was passed, and even from those of the 1970s when the Local Government (Miscellaneous Provisions) Act 1976 came into force. Clearly, the legislation has not kept pace with developments, in particular with the way we use technology, apps, and mobile phones. It is difficult to facilitate a regulatory system when the legislation is based on the use of horse drawn carriages and landline phones.

There is also a lack of consistency across the legislation. For example, the law requires a person who takes bookings for private hire vehicles to be licensed but there is no similar requirement for someone who does the same for hackney carriages. This lack, apart from the potential for sensitive personal information to fall into the wrong hands, can make it

very difficult to investigate allegations of improper conduct by drivers of hackney carriages. This could undermine public confidence in the licensing regime. In addition, it provides a mechanism for private hire operators who have lost their licence to continue in business. They simply move to only “operating” hackney carriages, and no controls can be placed on them at all.

Examples of recent local issues include hackney carriage ‘operators’ who have pressured drivers to work excessively long hours with no proper breaks, and those who do not maintain their vehicles properly and continually present vehicles to testing stations which fail the test. The overriding aim of any licensing authority when carrying out its functions relating to the licensing of hackney or private hire drivers, vehicle proprietors, and operators is the protection of the public.

The Oxfordshire district councils and the county council share information under a Joint Operating Framework, and there is a national register of revoked and refused licences operated by the National Anti-Fraud Network. However, this does not address situations where drivers have allowed their licence to lapse pending enforcement action at one local authority and apply to another authority without declaring that enforcement action or the previous licences held. Local authority prosecutions are not currently detailed on enhanced DBS disclosures and there are recent local examples of the councils only finding out about such prosecutions by chance and after the licence has been granted.

Council therefore requests that the Leader of the council write to the district’s two Members of Parliament and to the Minister for Transport to request that the following action be taken:

1. The Government should move forward without delay on the three key measures recommended to achieve a safe service for passengers in the Taxi and PHV Licensing Task and Finish Group report, namely:
  - The introduction of a national taxi licensing database;
  - Some form of cross border enforcement for local authorities;
  - National minimum standards for licences.
2. The Government should provide an update in respect of how they propose to deal with cross-border working;
3. The Government should legislate to require any person taking bookings for more than one vehicle to be licensed as an operator, with national standards for the information recorded by licensed operators in respect of bookings.

**C. In the absence of Councillor Kate Gregory and Councillor Ken Arlett, Councillor Anne-Marie Simpson moved, and Councillor Robin Bennett seconded the motion as set out at agenda item 15 (3) for the Council meeting on 13 February 2020**

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

**RESOLVED:**

That Council notes the views of the Local Government Association and the Royal Town Planning Institute, who recognise that problems have been caused by the 2013 deregulation of the Planning System which allows offices to be converted into homes without planning permission. Currently, developers do not have to contribute towards affordable Social Housing or local infrastructure and there is no ability to consider whether

the development provides suitable levels of internal or external amenity space, privacy, sunlight, daylight or outlook.

Council asks the leader of the council to write to the Secretary of State for Housing, Communities and Local Government to call for a review of the wide-ranging impacts of permitted development rights which allow change of use into residential homes.

**D. Councillor Sue Roberts moved, and Councillor Celia Wilson seconded the motion as set out at agenda item 10 for the meeting of Council on 20 February 2020**

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

**RESOLVED:**

That Council notes that paragraph 73 of the NPPF, on ‘maintaining supply and delivery’ requires planning authorities ‘to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement’. This deliverability rule is commonly known as the ‘5-year housing land supply’.

Unfortunately, this phrase leads to the misconception that councils that cannot demonstrate a 5-year housing land supply cannot do so because they have failed to allocate or approve sufficient sites. This is not the case for councils with adopted local plans consulted upon and found sound at examination, who are keeping up with changes to methodology which might require increased housing numbers. Such councils, provided they have gone on to approve sufficient applications, by definition would indeed have allocated sufficient land for housing.

But lost 5-year housing land supply can result if developers fail to build out at the required rate on the sites allocated in the local plan. They then, themselves, have created strong planning grounds for granting of planning permissions on new sites that they apply for; sites that were specifically not in the local plan. This often results in appeals, which are time-consuming, extremely costly, and distressing for the council and residents alike.

George Freeman (Cons MP Mid Norfolk) summed this up in a House of Commons debate (Hansard, 4th July 2018): *“developers are banking...permissions for later, because they know that they will get them, and using the five-year land supply to force the wrong development in the wrong places”. “Through the Localism Act 2011, we set out to [give] local communities the chance to shape their future. We are now in danger of looking like we are in favour of speculators, profiteers and out-of-town developers, who dump housing estates that we legislate for, with no responsibility being taken locally.”*

Council therefore requests that the Leader write to the Minister for Housing Communities and Local Government requesting:

- That the Minister notes the severe problems that exist with the ‘5-year housing land supply’ rules in the National Planning Policy Framework as outlined above
- That the Minister considers revising the housing land supply rules (5-year or other durations) such that, provided the planning authority has allocated sufficient land to housing, and has not unreasonably withheld planning permissions, the authority shall have been deemed to have met its obligations and there would be no grounds for third parties to demand the release of further land for development

- That any other measures introduced to ensure appropriate delivery of homes should be actionable by the local authorities themselves on behalf of local people and not subject to external factors beyond their control, thus re-instating the primacy of residents and their elected representatives in ensuring that the right homes are built for the right people, in the right places, in a planned and organised manner”.

The meeting closed at 7.15pm

Chairman

Date

### South Oxfordshire Council Motions – May 2019 to Present

Date	Motion	Substantive Actions Required	Progress
18 July 2019	<p>Council notes the economic and environmental importance of rail transport in this area and asks the leader of the council to write to the Secretary of State for Transport to request the acceleration of the delivery of rail projects of importance to South Oxfordshire. These include:</p> <ul style="list-style-type: none"> <li>• Improvements necessary to Oxford City Station</li> <li>• Reopening of Grove Station</li> <li>• Upgrading of the route between Didcot and Oxford</li> <li>• Reopening of the Cowley Branch line</li> <li>• And any other initiatives which come forward in the current Oxfordshire Rail Connectivity Study</li> </ul>	Letter from the Leader of the Council to the Secretary of State for Transport	Letters sent and relevant officers advised and updated via team meetings and one to ones, to ensure that engagement with partners reflects this position.
18 July 2019	<p>Council notes that, increasingly, the only type of housing in our area that is genuinely affordable to young families, key workers, and the under-40s in general is social rent housing.</p> <p>Council asks officers to prepare a report for Cabinet on ways to use council powers and resources to deliver more high-quality, environmentally sustainable, and genuinely affordable housing, at social rent or similar cost. This should include ways to keep such properties genuinely affordable in the long term and ways to release and access low-cost suitable land for projects such as – but not limited to - self-build and community land trusts, as well as projects owned, let or operated by the council itself.</p>	A report for Cabinet on ways to use council powers and resources to deliver more high-quality, environmentally sustainable, and genuinely affordable housing, at social rent or similar cost	Report to Cabinet 25th October 2019. Work is ongoing within finance to consider funding options and how this have been impacted by subsequent clarifications to the PWLB terms and CIPFA Code.
18 July 2019	<p>Council notes that the UK Government, in tandem with the National Infrastructure Commission, has proposed the construction of a motorway-style expressway between Oxford and Cambridge. This new road will have significant adverse impacts on Oxfordshire: it will create a major source of air and noise pollution, destroy farmland and habitats, increase CO2 emissions - incompatible with the recent Climate Emergency declared by this council in April 2019- and bring more traffic onto the county's existing roads.</p> <p>Actual and proposed consultation on the Expressway, and indeed on the Ox-Cam Arc proposal and associated major housing growth across the region, has been wholly inadequate and a proper Strategic Environmental Assessment should have taken place before this project left the drawing board. Instead, it has become the basis for regional planning with little democratic legitimacy.</p> <p>Whilst this council supports partnership working and strategic planning and practical links with authorities across the region, it does not support the addition of a major road such as the Expressway in a time of climate emergency – as declared by this council on 11 April 2019.</p> <p>Highways England's own analysis of the Expressway shows a benefit:cost ratio (BCR) in the range of 1.1 – 1.3, far lower than most other road schemes analysed by the Department for Transport in 2015, (2:1).</p>	<p>All Council documents refer to the new position on the Expressway</p> <p>Letter from the Leader of the Council to the Secretary of State, Local MPs and Highways England</p>	Letters sent and relevant officers advised and updated via team meetings and one to ones, to ensure that engagement with partners reflects this position.

The Oxford 2050 plan process has thus far welcomed the perceived benefits of the Oxford-Cambridge Expressway. It is also mentioned as a factor in a wide range of council documents and plans, including LP2034. This council asks that its new position on the Expressway is taken into account in all council documents that refer to it.

The Expressway would cause major harm to the quality of life of residents if it passes through the district; this council wishes to withdraw any assumed consent, including any possibility that roads such as the HIF-funded Thames crossing, or the Stadhampton or Watlington bypasses, could later be used or expanded to form part of the Expressway or act as feeder roads for it.

This council fully supports an upgrade in the East-West rail route, with full electrification, as part of the Ox-Cam arc discussions. Such an upgrade must include inter-modal centres, along it and at both ends, to enable maximum use of rail for freight. Any road upgrades necessary to support the East-West rail route should connect to that route and be proportionate to the primacy of rail freight.

Council therefore resolves to:

- Oppose the Expressway project in all forms, including expansion of existing or new roads in the district to form part of it.
- Support fully-electrified East-West Rail, including freight capacity and connections, and better public transport and active travel connections.
- Update all council documents to reflect this new position on the Expressway and related Arc development proposals.
- Continue to support partnership working, especially with regard to landscape-scale conservation and nature recovery networks.

Communicate its opposition to Government, MPs and Highways England

<p>18 July 2019</p>	<p>Council notes that the Oxfordshire Pension Fund, of which it is an employer, has more than £132m of workers' money – around 6% of its portfolio funds - invested in fossil fuel companies. These companies – which the London Stock Exchange now terms “non-renewables,” are the primary drivers of the climate crisis threatening our planet.</p> <p>The Intergovernmental Panel on Climate Change last year warned that to avoid the most catastrophic consequences of warming, carbon emissions must fall to zero by 2050. Last month, the UK Parliament imposed a binding target of net zero by 2050 and in April, this Council declared a Climate Emergency.</p> <p>Lloyds of London and Bank of England Governor Mark Carney have both warned that legislation necessary to limit warming combined with the development of renewables would likely result in the rapid “stranding” of fossil fuel assets, requiring large-scale asset write-downs. Fossil fuel companies face the additional peril of a potential wave of third-party liability claims brought by the victims of climate change including sovereign states.</p> <p>A growing number of pension and investment funds have already announced plans to fully or partially divest from fossil fuels. Southwark Council, Islington Council, SOAS, the United Reform Church, The Church of England and the National Trust have already made significant divestment moves. Globally, the divestment movement has seen more than £6.3trillion leave the fossil fuel industry.</p> <p>As a result, the fossil fuel industry is facing unprecedented financial, legal and regulatory headwinds.</p> <p>The Oxfordshire Pension Fund has defended its continued investment in fossil fuels, arguing that to divest would mean losing its influence. This position is untenable. The very raison d'être of fossil fuel companies is the extraction and sale of carbon intensive energy. To the extent these companies are being stewarded towards renewable energy, this transition is happening too slowly. Research by Transition Pathway Initiative, an industry body, found that none of the ten largest publicly listed oil and gas producers are on track to achieve net zero emissions by 2050. None are on track to be aligned with 2 degrees or less of warming by 2050.</p> <p>The message of divestment is not that fossil fuel companies are evil. But their business threatens our planet and its most vulnerable inhabitants through droughts, heat waves, crop failures, floods, and rising sea levels.</p> <p>As one of the Oxfordshire LGPS employers, South Oxfordshire District Council calls on the Oxfordshire Pension Fund Committee to act in line with South Oxfordshire and the UK's declaration of Climate Emergency and in prudent exercise of its fiduciary duties by divesting its investment in an industry whose long-term risk profile in the current political and environmental climate is unacceptably high.</p> <p>Council:</p> <p>1) calls on the Oxfordshire Pension Fund to follow the lead of Councils, sovereign wealth funds and</p>	<p>Letter from the Leader of the Council to the Oxfordshire Pension Fund</p>	<p>Letter sent and relevant officers who engage with the Pension Fund briefed.</p>
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	<p>other pension and investment funds around the world to divest from non-renewable energy companies whose main purpose is the exploration and/or extraction of fossil fuels;</p> <p>2) calls on the Oxfordshire Pension Fund to explore reinvestment of its funds into appropriate renewable energy companies at the earliest opportunity;</p> <p>3) asks the Oxfordshire Pension Fund to acknowledge that shareholder engagement has failed to bring about the pace of change required to limit catastrophic global warming.</p>		
<p>10 October 2019</p>	<p>Council notes that EU nationals are part of our shared communities. They are our husbands, wives, parents, friends and colleagues. They are an integral part of a vibrant and thriving South Oxfordshire.</p> <p>Since 2016 EU nationals were promised again and again that "there will be no change for EU citizens already lawfully resident in the UK and [...] will be treated no less favourably as they are at present".</p> <p>After three years of living in limbo, their homes and livelihoods are in danger of being threatened by the further uncertainty brought about by the prospect of an even more chaotic no-deal Brexit.</p> <p>According to the Home Office's July statistics, only a third of EU nationals have applied for the Settled Status and 42% of them have been granted the inferior Pre-Settled status leading them to reapply for the Settled status later on. There is no possibility of knowing how many EU nationals need to apply, leaving vulnerable and unaware EU nationals left at risk of becoming unlawful residents the mercy of the Home Office's "Hostile Environment". Lack of clarity regarding differentiating between EU citizens arriving before and after the UK's exit from the EU could lead to discrimination in the labour market and may prevent many from accessing the services that they are entitled to.</p> <p>Another Windrush-like scandal could be unfolding right before the eyes of this Council and we mustn't be passive observers to it.</p> <p>Therefore, the Council asks that:</p> <ol style="list-style-type: none"> <li>1. Officers report on how the Council can mitigate adverse impacts on the rights of EU nationals (including but not limited to advising on what the Council can do to help landlords and employers to be better informed about immigration status and therefore avoid potential discrimination against EU nationals)</li> <li>2. The Leader of the Council writes to EU citizens resident in the district giving advice on applying for Settled Status (within the constraints of GDPR). This notice shall direct EU citizens to resources, including the Council's website, providing up-to-date information on the application process and the potential risks of not applying to the EU Settlement Scheme.</li> <li>3. The Leader of the Council writes to the Home Secretary seeking clarification and suggesting</li> </ol>	<p>Letter to the Secretary of State</p> <p>Report to the Leader of the Council</p> <p>Leader of the Council writes to EU citizens resident in the district</p>	<p>An open letter from the Leader of the Council to EU residents was published on the South Oxfordshire website and sent to all EU citizens in the district giving them advice on how to apply for settled status. There were 2676 letters sent.</p> <p>An officer group is in place to monitor Brexit activity and discuss any additional mitigating actions that may arise from service area risk registers.</p> <p>There is a dedicated website page for the EU Settlement Scheme - <a href="http://www.southoxon.gov.uk/services-and-advice/community-advice-and-support/brexit/brexit-advice-eu-nationals">http://www.southoxon.gov.uk/services-and-advice/community-advice-and-support/brexit/brexit-advice-eu-nationals</a></p> <p>Promotional materials were displayed within reception area, signposting to local ID verification services and national guidance for EU citizens.</p> <p>A briefing note was circulated to members In January 2020 to provide an overview of both national, Oxfordshire and council Brexit activity.</p>

	<p>improvements for the European Settlement scheme, which include:</p> <ul style="list-style-type: none"> <li>• Providing physical proof of Settled status that can be used to access services</li> <li>• Confirming that there will be no changes to the rights of settled EU citizens that they currently have by ratifying the Immigration Bill as primary legislation before the exit day</li> <li>• Replacing the current European Settlement scheme with a registration scheme without a deadline where EU citizens are considered lawful by default and can request a proof of immigration status only when they are asked to demonstrate it.</li> </ul>		
10 October 2019	<p>Reading Borough Council is proposing to build a vast new bridge over the Thames at Caversham to alleviate Reading's traffic problems. It is included in their Draft Local Plan as a top transport priority. The bridge would take off at the Thames Valley business park near Reading and land near the Playhatch roundabout in Oxfordshire. The only onwards option for traffic would be through the congested streets of Henley or along the narrow B481 country road through Oxfordshire villages.</p> <p>To date, Reading and other Berkshire councils that are supporting the scheme have focused almost entirely on the costs of building the bridge and the benefits it will bring to Reading. While they recognise that the bridge would have a substantial impact on the Oxfordshire road network, the Berkshire councils blithely state these will be dealt with by unspecified and uncosted 'mitigation measures'.</p> <p>This council calls on the Leader to write to the leaders of Reading Borough Council, Wokingham Borough Council and Bracknell Forest Council, together with MPs John Howell, John Redwood, Matt Rodda and Theresa May, stating that:</p> <p>a) In the context of the Climate Emergency a car-based solution to a car-based problem that would pour thousands of cars and HGVs into Oxfordshire is totally inappropriate and should a new bridge be built it should be restricted to public transport, cyclists and pedestrians;</p> <p>b) Notwithstanding the above, if a car-based solution is pursued, the proposed bridge and necessary mitigation measures (i.e. improvements to the Oxfordshire road network) are not considered as two separate projects, but as one single project in order that the benefits, disadvantages and costs of the complete scheme can be holistically assessed.</p>	<p>Letters to the Leaders of Reading, Wokingham and Bracknell Forest</p> <p>Letters to John Howell, John Redwood, Matt Rodda, Theresa May</p>	<p>Letters sent and relevant officers advised and updated via team meetings and one to ones, to ensure that engagement with partners reflects this position.</p>
10 October 2019	<p>On 11 April 2019, South Oxfordshire District Council declared a Climate Emergency, noting that the 2018 Intergovernmental Panel on Climate Change (IPCC) report states that we had just 12 years to act. Council resolved that it needs to commit to aggressive reduction targets and carbon neutrality as quickly as possible.</p> <p>Since then, there has been a continual onslaught of extreme weather events that further highlight the climate emergency. In July, the European heat wave killed 868 in France, and set a new temperature high for the UK of 38.5°C. There were unprecedented wildfires in the Arctic. In September, Hurricane Dorian killed 50 in the Bahamas and left 70,000 homeless. More generally, we have severe ice melting at the poles, and sea level rise at the upper end of forecasts.</p>		<p>CEAC in progress and Climate Change Programme will be developed and launched in 2020.</p>

	<p>In September, Professor Sir David King, former Chief Scientist for the UK, said the world had changed faster than predicted by the IPCC. Whereas mean global temperature rises have matched predictions, individual extreme weather events have accelerated in intensity and frequency. In this grave situation, he says, the UK should aim to cut greenhouse gas emissions to almost zero, by 2040 rather than 2050.</p> <p>South Oxfordshire District Council (SODC) has set up a Climate Emergency Advisory Committee (CEAC). At its first official meeting on the 19th September it recommended the very challenging targets proposed here. It should be noted that other councils have set targets for their districts and cities to reach net zero-carbon by 2030, some even earlier. The Labour Party at its recent conference has also set a 2030 net zero-carbon target for the country.</p> <p>Officers prepared options for CEAC to consider, including a focus only on Council operations; extending this to taking action on net zero-carbon over district-actives where Council has responsibilities, whilst responding reactively wherever possible to new initiatives for the district; and finally, for full net zero-carbon for the whole district. The cross-party committee unanimously agreed to a fully net zero-carbon district by 2030, with Council, in its own operations, to be net zero-carbon by 2025.</p> <p>These targets are premised on the fact that SODC should be in a new building by 2025, and that it can influence outsourced contractors to provide us with a net zero-carbon supply chain. The aim for a net-zero carbon total district is to ensure that Council has a true target in the sense that it knows what it is that it is aiming to get to zero-carbon, and to ensure that its actions are more than purely reactive; rather, Council shall set up an ambitious new programme working with other actors to achieve its target.</p> <p>Council resolves to:</p> <p>Agree the unanimous recommendations of its cross-party Climate Emergency Advisory Committee to:</p> <ul style="list-style-type: none"> <li>• Aim to reach net-zero carbon emissions across all of the operations of South Oxfordshire District Council by the target year of 2025</li> <li>• Aim to reach net-zero carbon emissions for the whole District of South Oxfordshire by 2030</li> </ul>		
<p>19 December 2019</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 31</p>	<p>Council notes that South Oxfordshire District Council's current position is support for an Oxfordshire County Unitary; in March 2017 this council voted to support 'Better Oxfordshire', a proposal to create a unitary authority.</p> <p>The approach of 'Better Oxfordshire' was for a single unitary authority based on the current County</p>	<p>Officers explore alternative governance approaches that protect, and</p>	<p>An SMT briefing paper was reviewed on 5 December 2019. It outlined the process and considerations for a merger proposal and provided some case studies from other Councils.</p>

<p>Page 32</p>	<p>Council boundary. Oxfordshire County Council and Vale of the White Horse District Council also took formal decisions to support the proposal.</p> <p>The proposal was submitted to the Secretary of State for approval under legislative provisions containing a sunset clause, which expired in March of 2019, meaning that at this time the proposal is not under active consideration.</p> <p>Government's current stated intention, according to recent statements by Robert Jenrick, in his role as Secretary of State for Housing, Communities and Local Government, is to move away from smaller district councils and towards Unitary and/or Combined Authority models of Governance.</p> <p>Council recognises that:</p> <p>Democratic institutions should be responsive and accountable to their electorate as well as being efficient and achieving value for money for their services. South Oxfordshire District Council's status enables a close connection to residents and communities, especially with regard to planning, and it is a democratically accountable body with the powers and resources to work with other organisations and deliver services in ways that more distant organisations cannot.</p> <p>Therefore, any future move towards Unitary status should be on the basis of the smallest viable geography that enables a similarly close link to communities and should not prevent independent candidates and smaller political parties competing for seats alongside the major political parties.</p> <p>Should such structural change occur in the future, in addition to securing increased value for money in service delivery, it must also aim to increase, not reduce, localised accountability for service provision and resource allocation, and should support the devolution of power to the lowest sustainable level.</p> <p>Council therefore confirms that:</p> <p>A. It recognises that much of the financial and economic data and analysis that underpinned the 'Better Oxfordshire' submission is now out of date; and</p> <p>B. Due to an absence of up to date analysis, South Oxfordshire District Council can no longer support a view that a County-wide single Unitary currently represents the best governance model for Oxfordshire: and proposes that:</p> <p>i. Officers explore alternative governance approaches that protect, and enhance, the democratic link to local communities, to assist council in taking a new, updated view;</p> <p>ii. As part of this, officers should make contact with the MHCLG to explore the approach the</p>	<p>enhance, the democratic link to local communities</p> <p>Officers should make contact with the MHCLG to explore the approach the new Secretary of State will take to any proposals for unitary based re-organisation</p> <p>A report on this matter is brought to full Council, by the Chief Executive and Leader, outlining their understanding of the new Government's intentions and possible approaches available to this council, by Summer 2020.</p> <p>A cross party 'governance model' working group is formed to support the Council's review of this area</p>	<p>MHCLG officials indicate that these criteria may change in the forthcoming White Paper.</p> <p>Visits to East Suffolk and Babergh and Mid Suffolk Councils were also made by the Acting Deputy Chief Executive – Partnerships, in January 2020 to discuss experiences of merging and attempting to merge.</p> <p>MHCLG officials have been contacted and a meeting between all Oxfordshire Leaders, CEs and officials held.</p> <p>A joint letter is to be sent by all Oxfordshire Leaders and OxLEP Chair to the SoSs MHCLG and BEIS requesting a meeting regarding options that may be possible within the forthcoming Local Recovery and Devolution White Paper.</p> <p>Outside of this process, MHCLG officials advise that individual requests or suggestions for structural change will not be considered at this time.</p> <p>A paper and report will be brought forward as soon as possible following any meeting that is held with the SoS or MoS and/or once the Local Recovery and Devolution White Paper is published, whichever is the sooner.</p> <p>Relevant officers are briefed on the Councils position and are engaging with partners and Government to make them aware of South's views regarding some of the outcomes any</p>
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	<p>new Secretary of State will take to any proposals for unitary based re-organisation; and asks that</p> <p>iii. A report on this matter is brought to full Council, by the Chief Executive and Leader, outlining their understanding of the new Government's intentions and possible approaches available to this council, by Summer 2020.</p> <p>iv. A cross party 'governance model' working group is formed to support the Council's review of this area; and notes that</p> <p>v. Should any revised unitary proposal be developed in future, the Constitutional Review Group will be asked to recommend appropriate constitutional models for consideration by Council.</p>		Unitary proposal should achieve.
19 December 2019	<p>Council notes the continuing development of the Oxfordshire Plan 2050 – a joint statutory spatial plan based on the boundary of the County.</p> <p>Council sees merit in regional - and county - scale planning for biodiversity and environmental sustainability matters, such as "nature recovery networks", as well as for public transport infrastructure, but considers that all housing and employment allocations (including strategic sites), planning policies and other related matters continue to be best dealt with at the local district planning authority level, and should not form part of the Oxfordshire 2050 plan.</p> <p>Council therefore asks:</p> <p>That officers and any councillor representing the council ensure this position is reflected in all engagement with, and contributions to, the Oxfordshire 2050 plan making process, and that the Council's position is made known, and emphasised, to key partners and Government.</p>		Relevant officers advised and updated via team meetings and one to ones, to ensure that engagement with partners reflects this position.
19 December 2019	<p>Recognising the financial position of the Council, and the need to ensure that residents are represented by a robust and sustainable council, officers are asked to bring forward proposals for South Oxfordshire District Council to consider whether or not a formal merger with the Vale of White Horse District Council, with the same total number of district councillors, creating a single district council based on their combined geography with increased financial resilience would be beneficial. This work should also consider the options for the development of area committees within this model, to ensure that decision making is devolved to the lowest appropriate level.</p> <p>Should any formal merger proposal be developed in future, the Constitutional Review Group will be asked to recommend appropriate constitutional models for consideration by Council.</p>	Officers are asked to bring forward proposals for South Oxfordshire District Council to consider whether or not a formal merger with the Vale of White Horse District Council would be beneficial	<p>An SMT briefing paper was reviewed on 5 December 2019. It outlined the process and considerations for a merger proposal and provided some case studies from other Councils.</p> <p>Visits to East Suffolk and Babergh and Mid Suffolk Councils were also made by the Acting Deputy Chief Executive – Partnerships, in January 2020 to discuss experiences of merging and attempting to merge.</p> <p>MHCLG officials have been contacted and a meeting between all Oxfordshire Leaders, CEs and officials</p>

			<p>held.</p> <p>A joint letter is to be sent by all Oxfordshire Leaders and OxLEP Chair to the SoSs MHCLG and BEIS requesting a meeting regarding options that may be possible within the forthcoming Local Recovery and Devolution White Paper.</p> <p>Outside of this process, MHCLG officials advise that individual requests or suggestions for structural change will not be considered at this time.</p>
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<p>19 December 2019</p>	<p>Council:</p> <ol style="list-style-type: none"> <li>1. Believes that young people should be allowed a say over their future.</li> <li>2. Recognises that 16 and 17 year olds are knowledgeable and passionate about the world in which they live and are as capable of engaging in the democratic system as any other citizen.</li> <li>3. Notes that there is currently an unequal situation across the United Kingdom, with 16 and 17 year olds having voting rights in Scotland and Wales that are not available to them in England and Northern Ireland.</li> <li>4. Supports the need for greater engagement with young people, leading to greater involvement of young people in the decisions that affect their community.</li> <li>5. Believes that lowering the voting age to 16, combined with strong citizenship education, would empower young people to better engage in society and influence decisions that will define their future.</li> <li>6. Believes that people aged 16 and 17, who can consent to medical treatment, work full-time, pay taxes, get married or enter a civil partnership and join the armed forces, should also have the right to vote.</li> <li>7. Recognises and supports the ongoing 'Votes at 16' campaign by the British Youth Council, the UK Youth Parliament and other youth organisations, supported by thousands of young people across the UK.</li> <li>8. Calls for 16 and 17 year olds to have the right in all elections and referendums across the UK.</li> </ol> <p>Council therefore:</p> <ol style="list-style-type: none"> <li>1. Requests that the Leader write to relevant Ministers and local MPs: expressing this Council's support for the Votes at 16 campaign; calling for the extension of the franchise to 16 and 17 year olds in all elections and referendums across the UK</li> <li>2. Requests that the Leader write to the local MYPs and the British Youth Council expressing this Council's support for the Votes at 16 campaign</li> <li>3. Asks the ERO/ RO to consider participating in any pilot scheme.</li> </ol>	<p>The Leader write to relevant Ministers and local MPs: expressing this Council's support for the Votes at 16 campaign; calling for the extension of the franchise to 16 and 17 year olds in all elections and referendums across the UK</p> <p>The Leader write to the local MYPs and the British Youth Council expressing this Council's support for the Votes at 16 campaign</p> <p>Asks the ERO/ RO to consider participating in any pilot scheme</p>	<p>Letters sent and relevant officers advised and updated via team meetings and one to ones, to ensure that engagement with partners reflects this position.</p>
<p>19 December 2019</p>	<p>Council notes that:</p> <ul style="list-style-type: none"> <li>• South Oxfordshire District Council (SODC) will be undertaking a constitutional review beginning in January 2020. A working group, with representation from all political groups, has been set up to conduct this review.</li> <li>• Other motions tonight relate to consideration of whether the council should consider a merger with Vale of White Horse with whom SODC shares an officer-core, and wider unitary related decisions.</li> <li>• It should be ensured that the Constitutional Review Working Group gets sufficient training to enable it to make informed decisions. Training might be required from external experts, and information may be required through visits to or from other councils.</li> </ul>	<p>The Constitutional Review Working Group will include the following topics in its considerations:</p> <ul style="list-style-type: none"> <li>• Whether there would be a benefit to residents in terms of decision-making, representation, and transparency were</li> </ul>	<p>The Constitution Review Group met on 4 March 2020 prior to the Covid-19 Lockdown. Officers will arrange further meetings during the summer and report to Council in October 2020.</p>

	<p>This Council agrees that the Constitutional Review Working Group will include the following topics in its considerations:</p> <ul style="list-style-type: none"> <li>• Whether there would be a benefit to residents in terms of decision-making, representation, and transparency were South Oxfordshire District Council to move to a committee-based structure:</li> <li>• Whether the Climate Change Advisory Committee should become a Committee of Council and what, if any, amendments should be made to its terms of reference; and that</li> <li>• Training should be made available to the Constitutional Review Working Group and to all members on the matters referred to herein. Council asks Cabinet to reflect the cost of this in any budget proposals they bring forward.</li> </ul>	<p>South Oxfordshire District Council to move to a committee-based structure</p> <ul style="list-style-type: none"> <li>• Whether the Climate Change Advisory Committee should become a Committee of Council and what, if any, amendments should be made to its terms of reference</li> <li>• Training should be made available to the Constitutional Review Working Group and to all members on the matters referred to herein</li> </ul>	
<p>19 December 2019</p>	<p>The Council notes that:</p> <ul style="list-style-type: none"> <li>• Cycling and walking are healthy, climate-friendly modes of transport</li> <li>• In 2018, of fatalities on the road caused by vehicles crashes, 31% were people walking or on pedal cycles</li> <li>• Many people are put off cycling because of perceived and actual dangers</li> <li>• Electric bicycles could be a revolution in bringing more people to cycling and cycling further</li> <li>• In a rural District many roads are narrow, winding and without pavements for walking</li> <li>• A number of the towns in the District suffer from poor air quality that have major health impacts, particularly for children</li> <li>• Physical inactivity is a contributor to diseases such as diabetes, heart disease, osteoporosis, depression and dementia</li> <li>• The Council has a goal to achieve a carbon-neutral District by 2030</li> <li>• Infrastructure needs to be developed rapidly to support more active travel, including for electric bicycles, to achieve national and local climate and health goals</li> </ul>	<p>Develop a prioritised plan of where new and improved cycle and walking infrastructure is needed in the District to contribute to a SATN (Strategic Active Travel Network)</p> <p>Update planning</p>	<p>Working in partnership with Oxfordshire County Council to upgrade Oxfordshire cycling infrastructure, including new cycle parking in market towns, improved signage and enhanced maintenance for footpaths and cycleways.</p> <p>Opportunity to encourage active travel outcomes through the joint design guide project.</p> <p>Relevant officers advised and updated via team meetings and one to ones, to</p>

	<ul style="list-style-type: none"> <li>travel habits need changing urgently and that cycling and active travel need be easy and safe to be chosen over alternatives</li> <li>the Council already has a walking and cycling policy: T7</li> </ul> <p>This Council therefore calls upon the relevant Cabinet members to:</p> <p>i) develop a prioritised plan of where new and improved cycle and walking infrastructure is needed in the District to contribute to a SATN (Strategic Active Travel Network) and actively seek, and support the County to actively seek, capital and revenue funding for delivery of it through local and national sources</p> <p>ii) update planning policy to better achieve active travel outcomes across the district and with greater urgency, noting such further policy development is currently unfunded (and is subject to Council having planning powers to do this).</p> <p>iii) work to prioritise active travel in planning policy and use walking and cycling as an improvement to urban and rural communities in terms of community cohesion, wellbeing, and tackling inequalities</p> <p>iv) engage in active travel promotion with relevant partners to encourage travel behaviour change</p> <p>v) urge the County Council to prioritise quality control of all active travel infrastructure in accordance with the Oxfordshire Cycling Design Standards, ensuring all proposals are audited for safety and encouragement of active travel</p>	<p>policy to better achieve active travel outcomes across the district</p> <p>Work to prioritise active travel in planning policy</p> <p>Engage in active travel promotion with relevant partners to encourage travel behaviour change</p> <p>Urge the County Council to prioritise quality control of all active travel infrastructure in accordance with the Oxfordshire Cycling Design Standards</p>	<p>ensure that engagement with partners reflects this position.</p>
<p>20 February 2020</p> <p>Page 37</p>	<p>That Council notes the International Holocaust Remembrance Alliance (IHRA) definition of Antisemitism is the most widely accepted and recognized definition of anti-Jewish racism. It states that: Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of Antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.</p> <p>Council notes the All Party Parliamentary Group on British Muslims (APPG) definition of Islamophobia: Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness.</p> <p>Council notes that, by using these definitions, it helps to understand, identify, and tackle Antisemitism and Islamophobia.</p> <p>Council holds the right to freedom of speech and freedom of religion as fundamentals but freedom of speech is not an unlimited right, and should not be used to advocate racial or religious hatred that constitutes incitement to discrimination, hostility or violence.</p>	<p>Adopt the IHRA definition of antisemitism in full and without amendment</p> <p>Adopt the APPG definition of Islamophobia in full and without amendment.</p> <p>Ask officers to update this council's equality policies to this</p>	<p>Motion forwarded to the Council's Equality Officer.</p> <p>Council policies being reviewed and updated.</p> <p style="text-align: right;">Agenda Item 8</p>

	<p>Council resolves to:</p> <ol style="list-style-type: none"> <li>1. condemn all hate crimes and deplore the rise in hate crimes against members of the Jewish and Muslim communities in Britain;</li> <li>2. condemn inflammatory rhetoric in political discourse that is antisemitic or Islamophobic;</li> <li>3. adopt the IHRA definition of Antisemitism in full and without amendment;</li> <li>4. adopt the APPG definition of Islamophobia in full and without amendment;</li> <li>5. ask officers to update this council's equality policies to this effect.</li> </ol>	effect	
20 February 2020	<p>Council notes the risks associated with modern life are significantly different from those of 1847 when the Town Police Clauses Act was passed, and even from those of the 1970s when the Local Government (Miscellaneous Provisions) Act 1976 came into force. Clearly, the legislation has not kept pace with developments, in particular with the way we use technology, apps, and mobile phones. It is difficult to facilitate a regulatory system when the legislation is based on the use of horse-drawn carriages and landline phones.</p> <p>There is also a lack of consistency across the legislation. For example, the law requires a person who takes bookings for private hire vehicles to be licensed but there is no similar requirement for someone who does the same for hackney carriages. This lack, apart from the potential for sensitive personal information to fall into the wrong hands, can make it very difficult to investigate allegations of improper conduct by drivers of hackney carriages. This could undermine public confidence in the licensing regime. In addition, it provides a mechanism for private hire operators who have lost their licence to continue in business. They simply move to only "operating" hackney carriages, and no controls can be placed on them at all.</p> <p>Examples of recent local issues include hackney carriage 'operators' who have pressured drivers to work excessively long hours with no proper breaks, and those who do not maintain their vehicles properly and continually present vehicles to testing stations which fail the test. The overriding aim of any licensing authority when carrying out its functions relating to the licensing of hackney or private hire drivers, vehicle proprietors, and operators is the protection of the public.</p> <p>The Oxfordshire district councils and the county council share information under a Joint Operating Framework, and there is a national register of revoked and refused licences operated by the National Anti-Fraud Network. However, this does not address situations where drivers have allowed their licence to lapse pending enforcement action at one local authority and apply to another authority without declaring that enforcement action or the previous licences held. Local authority prosecutions are not currently detailed on enhanced DBS disclosures and there are recent local examples of the</p>	Letters from the Leader of the Council to the Minister and the two local MPs	Letters sent and relevant officers advised and updated via team meetings and one to ones, to ensure that engagement with partners reflects this position.

	<p>councils only finding out about such prosecutions by chance and after the licence has been granted.</p> <p>Council therefore requests that the Leader of the council write to the district's two Members of Parliament and to the Minister for Transport to request that the following action be taken:</p> <ol style="list-style-type: none"> <li>1. The Government should move forward without delay on the three key measures recommended to achieve a safe service for passengers in the Taxi and Private Hire Vehicle Licensing Task and Finish Group report, namely: <ul style="list-style-type: none"> <li>- The introduction of a national taxi licensing database;</li> <li>- Some form of cross border enforcement for local authorities;</li> <li>- National minimum standards for licenses.</li> </ul> </li> <li>2. The Government should provide an update in respect of how they propose to deal with cross-border working;</li> <li>3. The Government should legislate to require any person taking bookings for more than one vehicle to be licensed as an operator, with national standards for the information recorded by licensed operators in respect of bookings".</li> </ol>		
20 February 2020	<p>That Council notes the views of the Local Government Association and the Royal Town Planning Institute, who recognise that problems have been caused by the 2013 deregulation of the Planning System which allows offices to be converted into homes without planning permission. Currently, developers do not have to contribute towards affordable Social Housing or local infrastructure and there is no ability to consider whether the development provides suitable levels of internal or external amenity space, privacy, sunlight, daylight or outlook.</p> <p>Council asks the leader of the council to write to the Secretary of State for Housing, Communities and Local Government to call for a review of the wide-ranging impacts of permitted development rights which allow change of use into residential homes.</p>	Letter from the Leader of the Council to the Secretary of State	Letter drafted and sent by planning policy. Government have subsequently moved to further increase permitted development and any response to consultation on this will reflect this motion.
20 February 2020	<p>That Council notes that paragraph 73 of the NPPF, on 'maintaining supply and delivery' requires planning authorities 'to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement'. This deliverability rule is commonly known as the '5-year housing land supply'.</p> <p>Unfortunately, this phrase leads to the misconception that councils that cannot demonstrate a 5-year housing land supply cannot do so because they have failed to allocate or approve sufficient sites. This is not the case for councils with adopted local plans consulted upon and found sound at examination, who are keeping up with changes to methodology which might require increased housing numbers. Such councils, provided they have gone on to approve sufficient applications, by definition would indeed have allocated sufficient land for housing.</p> <p>But lost 5-year housing land supply can result if developers fail to build out at the required rate on the</p>	Letter from the Leader of the Council to the Secretary of State	Letter drafted and sent by planning policy

sites allocated in the local plan. They then, themselves, have created strong planning grounds for granting of planning permissions on new sites that they apply for; sites that were specifically not in the local plan. This often results in appeals, which are time-consuming, extremely costly, and distressing for the council and residents alike.

George Freeman (Cons MP Mid Norfolk) summed this up in a House of Commons debate (Hansard, 4th July 2018): “developers are banking...permissions for later, because they know that they will get them, and using the five-year land supply to force the wrong development in the wrong places”. “Through the Localism Act 2011, we set out to [give] local communities the chance to shape their future. We are now in danger of looking like we are in favour of speculators, profiteers and out-of-town developers, who dump housing estates that we legislate for, with no responsibility being taken locally.”

Council therefore requests that the Leader write to the Minister for Housing Communities and Local Government requesting:

- That the Minister notes the severe problems that exist with the ‘5-year housing land supply’ rules in the National Planning Policy Framework as outlined above
- That the Minister considers revising the housing land supply rules (5-year or other durations) such that, provided the planning authority has allocated sufficient land to housing, and has not unreasonably withheld planning permissions, the authority shall have been deemed to have met its obligations and there would be no grounds for third parties to demand the release of further land for development
- That any other measures introduced to ensure appropriate delivery of homes should be actionable by the local authorities themselves on behalf of local people and not subject to external factors beyond their control, thus re-instating the primacy of residents and their elected representatives in ensuring that the right homes are built for the right people, in the right places, in a planned and organised manner”.



# Council



Listening Learning Leading

Report of Head of Legal and Democratic

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To: COUNCIL

DATE: 16 July 2020

## Virtual meeting procedure rules and scheme of delegation

### Recommendations

That Council:

1. adopts the revised Virtual Meeting Procedure Rules attached at appendix one to this report which provide for public participation at virtual formal council meetings, to apply from the date of this meeting;
2. agrees corrected wording for the head of planning's delegation 1.1 a ii in the council's constitution to clarify call-in of planning applications by ward councillors as set out in appendix two to this report, to apply from the date of this meeting;
3. notes the intention to resume Planning Committee site visits but authorises the head of planning, in consultation with the chair of the Planning Committee, to suspend them if at any time it becomes unsafe to do so;
4. authorises the head of legal and democratic to make the necessary changes to the constitution and to make any minor or consequential amendments to the constitution and the rules for consistency and to reflect the council's style guide.

## Purpose of Report

1. To consider proposed amendments to the Virtual Meeting Procedure Rules, the scheme of delegation to the head of planning and to note that site visits will be resumed by the Planning Committee.

## 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 and reflects the council's duty to respond to the Covid-19 pandemic to deliver its statutory functions.

## Background

3. On 18 May 2020 the chief executive, under emergency powers, agreed for the council to hold virtual meetings, including the adoption of virtual meeting procedure rules, temporary changes to the delegations to the head of planning to allow alternative arrangements for the determination of applications that would ordinarily be determined by the council's planning committee and the temporary cessation of planning committee site visits.
4. These changes were introduced in response to the government's announced lockdown due to Covid-19 on 23 March and new powers handed to local authorities under the Coronavirus Act 2020 and associated regulations to hold virtual public meetings through video or telephone conferencing technology from 4 April 2020.

## Virtual Meeting Procedure Rules

5. The Virtual Meeting Procedure Rules, agreed by the chief executive on 18 May 2020, provided for members of the public to submit statements or questions in writing for circulation at a virtual meeting. In respect of meetings of the Planning Committee, the public, who have already registered an interest in the planning application, can submit a concise written statement by 12 noon two working days before the committee meeting. Written statements received by the deadline are circulated to the committee members in advance of the meeting and published to the council's website.
6. The reason for the lack of public participation was due to the software the council uses for virtual meetings which meant the council couldn't initially include invitations to external parties like towns and parishes although many have submitted written statements.
7. The council undertook to review this arrangement after six months, whilst keeping the operation under review with the ambition to return to public speaking at meetings as soon as possible. Officers have tested a number of options and will undertake a live test at the Joint Audit and Governance Committee on 13 July. Assuming this test is successful (an update will be provided at the meeting), officers recommend that public participation is provided for at all council meetings. Revised Virtual Meeting Procedure Rules are attached at appendix one to reflect this change.

## Planning scheme of delegation to officers

8. Under emergency powers, the chief executive agreed temporary changes to the delegations to the head of planning in the council's constitution to allow alternative arrangements for the determination of applications that would ordinarily be determined by the council's planning committee. This change was brought in as a response to the challenges presented by the pandemic to reduce the number of applications referred to committee whilst strengthening the links between council planning officers, ward councillors and parish councils. The temporary changes will be reviewed after six months.
9. In operating the scheme, it has become apparent that the wording of the head of planning's delegation 1.1 a is unclear as to who makes the final decision on the referral by a ward councillor of a planning application to the planning committee. In line with other delegations to the head of planning it is the intention that he determine this in consultation with the chair/vice-chair and local ward councillor(s). Attached at appendix two is a revised schedule to reflect this.

## Planning Committee Site visits

10. At the time the chief executive agreed changes under emergency powers, it was not practical and in accordance with government advice on social distancing to hold planning committee site visits. However, the government has announced an easing of lock down measures from 4 July with a reduction in social distancing and the ability to meet in small groups.
11. Whilst there is no legal requirement to hold planning committee site visits, they are considered good professional practice and enable councillors assessing an application to consider all material matters such as topography, noise, odour and relationship to neighbouring properties which cannot easily be assessed through photographs and videos.
12. Officers have undertaken a risk assessment in line with the latest government guidance and produced a protocol on the running of committee site visits. Based on this and in consultation with the chair of the Planning Committee, officers are satisfied that safe committee site visits can now be undertaken. It should be noted, however, that if circumstances change making it unsafe to do so then the practice would need to be suspended. Council is asked to authorise the head of planning to do this, in consultation with the chair of the Planning Committee, should it prove necessary for safety reasons.

## Financial Implications

13. There are no direct financial implications arising from this report.

## Legal Implications

14. The Coronavirus Act 2020 and associated regulations provided for councils to hold virtual public meetings through video or telephone conferencing technology from 4 April 2020 until 6 May 2021. The chief executive acting under his emergency powers agreed to adopt the Virtual Meetings Procedure Rules without public participation to allow meetings to go ahead and planning decisions to be made, to make temporary changes to the scheme of delegation to the head of planning and

suspend site visits. The procedure rules can now be updated by Council to allow public participation.

15. The arrangements for ward councillors to refer applications to the Planning Committee need to be corrected to provide clarity. The delegation needs to be to the head of planning in consultation with relevant councillors as decision-making powers cannot be granted to the chair or vice-chair of the Planning Committee or ward councillors.

## **Conclusion**

16. This report sets out proposed changes to the council's Virtual Meeting Procedure Rules to allow for public participation at meetings, to correct administrative errors to the scheme of delegation to the head of planning and to note the resumption of site visits for the Planning Committee as long as it remains safe to do so.

## **Background Papers**

- Decision taken by the chief executive under emergency powers dated 18 May 2020

# Virtual Meeting Procedure Rules

The Government has issued The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392. The Regulations have been issued under Section 78 of the Coronavirus Act 2020. They allow the council to hold virtual meetings between 4 April 2020 and 6 May 2021. These Virtual Meeting Procedure Rules set out the procedure to be followed when the council conducts formal virtual meetings and should be read in conjunction with the procedure rules in the Constitution for the Council, Cabinet, Scrutiny Committees, Joint Audit and Governance Committee, Planning Committee, General Licensing Committee, Licensing Acts Committee, Climate Emergency Advisory Committee, Community Governance and Electoral Issues Committee, Area Committees, Community Grants Panel, and licensing and taxi panels. Except as varied by these rules, the procedure rules for meetings set out in the Constitution also apply to virtual meetings.

## Annual meeting of Council

1. Council Procedure Rule 1, requiring an annual meeting of Council to be held, shall not apply between the date of adoption of these procedure rules and 6 May 2021. Council may hold an annual meeting if it wishes but is not required to do so during the period specified above. An annual meeting of Council may be called by:
  - (a) the Chair of the Council or
  - (b) a resolution calling for an Annual Meeting being passed at an ordinary or extraordinary meeting of Council.

## Virtual meetings

2. Between the date of adoption of these procedure rules and 6 May 2021, the council may hold meetings:
  - (a) at a physical location, with some councillors in attendance in the meeting room and with some councillors attending through remote access, or
  - (b) at a virtual location, being a web address or a conference call telephone number or a combination of these.
3. The council will live stream these meetings for the public to listen to or watch.
4. A virtual meeting that is open to the public held between the date of the adoption of these procedure rules and 6 May 2021 includes any meeting specified in paragraph 2 above where business is transacted that is open to the public and press.

## Participants in the virtual meeting

5. The following shall be deemed to be participants of the virtual meeting:
  - (a) Members of the meeting or their substitutes
  - (b) Other district councillors who have indicated a wish to speak at the meeting
  - (c) Members of the public or other invitees to speak to a specific agenda item
  - (d) Officers in attendance
6. When participants are speaking, they must be able to be heard by other participants. There is no requirement to be able to see other participants, although this is preferable.

## **Observers**

7. The council must provide a facility so that members of the public who are listening to or watching the virtual meeting, rather than participating, can hear the participants speaking at the meeting.

## **Notice of meetings**

8. The head of legal and democratic will give notice of a meeting by publishing the agenda to the council's website at least five clear days in advance of meeting.
9. The notice will set out the date and time of the meeting, and the business to be transacted. The council will publish details of how the public may listen to or watch the virtual meeting.
10. Participants will be notified by email of how to join the virtual meeting.
11. The agenda will not be available as a paper copy if the meeting is completely virtual.

## **Attendance at virtual meetings**

12. Attendance at virtual meetings can be either:
  - (a) by being present in the physical place the meeting is held or
  - (b) by joining the virtual meeting.
13. Participants will be asked to join the virtual meeting at least 15 minutes before the advertised start time. Councillors joining the virtual meeting must use their council-supplied device.
14. Any video camera should show a non-descript background or where possible, a virtual background. Participants are asked not to eat or drink while their audio and video link is active and wear appropriate clothing for a public meeting.
15. At the commencement of each meeting, the Chair shall take a register of all councillors and officers joining the meeting to allow their presence to be recorded and explain the protocol for councillor and public participation and the rules of debate.

## **Quorum**

16. The normal quorum rules apply to each meeting.

## **Public participation**

17. Members of the public may make a statement, ask a question or present a petition in accordance with the relevant meeting's procedure rules, as set out in the Constitution. To be able to speak at a meeting, the public must first register to do so. The rules on deadlines for registering to address meetings and the time limits on statements, questions and petitions at those meetings are set out in the relevant meeting's procedure rules in the Constitution. The public may either:
  - (a) address the meeting in person if the meeting is held in a physical location or

- (b) submit their address in writing to [democratic.services@southandvale.gov.uk](mailto:democratic.services@southandvale.gov.uk) so that it can be circulated at a virtual meeting or
  - (c) join and address a virtual meeting.
18. Members of the public who have registered to address a meeting are encouraged to submit a written statement of their address to [democratic.services@southandvale.gov.uk](mailto:democratic.services@southandvale.gov.uk) by 12 noon on the working day before the meeting so that this can be read out by the democratic services officer if they experience technical difficulties in joining or remaining in the meeting that cannot be overcome within a reasonable time.

### **Non-committee member's participation**

19. If a councillor who is not a member of the meeting, wishes to address the meeting during a particular agenda item, they should inform the Chair and Democratic Services by 12 noon on the working day before the meeting.

### **Technical failure during a virtual meeting**

20. If the Chair becomes aware that the virtual meeting is not accessible to the public through remote means, due to technical failure or other means, the Chair may adjourn the meeting.
21. If the Chair becomes aware that the meeting is not accessible by one or more members of the meeting through remote means, due to technical failure or other means, the Chair may adjourn the meeting immediately but is not required to, unless the meeting is inquorate.
22. If a councillor temporarily disconnects and re-connects to the meeting due to technological issues, they are still considered to be present throughout the meeting as long as any matters discussed during their absence are repeated.
23. If a technical connection to a councillor is lost during a Planning Committee or licensing panel hearing for a prolonged period, the Chair will announce that the relevant councillor is absent. The meeting may proceed as long as a quorum can be established, but the councillor who was disconnected will not be able to vote on the matter under discussion as they would not have heard all the evidence.
24. If a member of the public or other invitee experiences technical difficulties in joining or remaining in any meeting that cannot be overcome within a reasonable time the meeting may proceed and if so the democratic services officer will read out any written statement of their address submitted before the meeting.
25. If the provision of access through remote means cannot be restored within a reasonable period, the Chair may adjourn the meeting or close the meeting and defer the remaining business to the next appropriate meeting.
26. If the Chair has technical issues and cannot take part in the meeting, the Vice-Chair or another councillor may take over the chair to allow the virtual meeting to proceed.

**Consideration of agenda items, the debate and decision-making**

27. During the meeting, each participant must specify their name to introduce themselves at the start of every contribution, unless they have been introduced by the Chair. This is particularly important for audio-only meetings or when video cameras are switched off.
28. The Chair will ask councillors if they have any interests to declare. Any councillor who declares a disclosable pecuniary interest in an item of business must not participate in the debate or voting and must leave the virtual meeting for that item.
29. The Chair will in turn invite each member of the public who has registered or been invited to speak to address the meeting. The meeting may ask the members of the public questions of clarification only. Once the member of the public has spoken and answered any questions, they must turn off their video and mute their sound and remain silent to allow the consideration of that agenda item to continue; if they fail to do so when requested they may be ejected from the meeting. Once the agenda item has been completed the member of the public must leave the meeting and may continue to listen to or watch the live stream of the meeting. The public must not use the Chat facility to comment on the proceedings.
30. The Chair or officer will refer the meeting to any written statements submitted.
31. The Chair will ask the relevant officer/Cabinet member to present their agenda item/report. Councillors may raise questions of clarification to the officer/Cabinet member.
32. Councillors or officers will indicate their wish to speak by the method agreed by the Chair, such as by raising their hand when video is available or by using the Chat facility.
33. Participants may unmute their audio and turn on their video when invited by the Chair to speak or to indicate their wish to speak. Participants shall address the Chair at all times, and not one another. Participants are not required to stand when speaking. Only one person may speak at a time.
34. Participants should turn off their video and mute their sound when not talking to the meeting.
35. The virtual meeting Chat facility must not be used for private or political conversations and does not constitute any part of the meeting's debate.
36. The Chair will determine the order of those speaking and may limit the length and content of speeches.
37. The Chair may ask councillors or officers to specify the relevant agenda page number and paragraph number when raising a particular point covered in the agenda. This allows others to follow the debate.
38. The Chair may ask the meeting as a whole or each councillor in turn for any further comments before completing the debate on that agenda item. If the meeting is in general agreement with a proposal, a vote need not be taken. Normal rules in the

Constitution on proposing motions and amendments apply to allow votes to be taken where necessary.

39. If a vote is required, the Chair or the democratic services officer will ask each councillor in turn, alphabetically, to verbally announce whether they are voting in favour or against a motion or abstaining. The voting results will be declared by the democratic services officer and the decision will be confirmed by the Chair. A recorded or named vote will not be kept unless such a request was made prior to the vote.
40. In the case of virtual meetings considering planning applications and licensing panel hearings, councillors may be required to confirm that they have heard all of the discussion and indicate their vote.

### **Exclusion of the public and press**

41. In the case of confidential/exempt business, councillors and relevant officers will be sent a separate link to a virtual, confidential meeting session that will follow the public meeting (after a short break). This virtual, confidential meeting session will not be accessible to the public.
42. If during a public debate, a meeting needs to move into confidential discussion to receive some confidential or exempt information before making a decision in public, the public debate will be deferred until the item can be discussed in confidential session. The final decision will either be taken in public at the next appropriate meeting, in confidential session and published after the meeting, or by individual Cabinet member decision or officer key decision as appropriate.
43. In confidential/exempt session, each councillor and officer present must ensure that no other person can hear or see the virtual meeting.
44. Councillors must ensure they do not share confidential or exempt content in the video feed.

### **Closing the meeting**

45. The Chair will close the meeting. All participants must leave the virtual meeting quickly and quietly. Any subsequent discussion will not form part of the meeting, nor be recorded in the minutes.

### **Chair's discretion**

46. The Chair shall exercise discretion on how the virtual meeting is conducted and may waive any of these virtual meeting procedure rules. The Chair's ruling on any procedure shall be final.

Head of Planning		
Ref	Function	Consultation (where appropriate)
1.0	Planning	
	To determine all applications made to either District Council relating to planning matters, except in the following cases:	
1.1		
Vale	(a)i A ward councillor (to include adjacent ward councillor whose parish has been consulted) calls in the application to be considered by the Planning Committee within 28 days of the date of registration of the application (unless an extension to the consultation period has been granted) and the request is agreed by the Head of Planning This request must be in writing and refer to material planning matters to ensure the audit trail for making that decision is clear and unambiguous. Councillors' right of call-in does not apply to applications for certificates of lawful use or development, prior approvals and notifications.	Chair or, in their absence, the Vice-Chair of the Planning Committee
South	(a)ii A ward councillor (to include adjacent ward councillor whose parish has been consulted) calls in the application to be considered by the Planning Committee within 28 days of the date of registration of the application (unless an extension to the consultation period has been granted) and the request is agreed by the Head of Planning . This request must be in writing and refer to material planning matters to ensure the audit trail for making that decision is clear and unambiguous. Councillors' right of call-in does not apply to applications for certificates of lawful use or development, prior approvals and notifications.	Chair and Vice-Chair of the Planning Committee and relevant ward councillor(s) (to include adjacent ward councillor(s) whose parish has been consulted)