

Council



Listening Learning Leading

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Date: 10 May 2023

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Summons to attend the annual meeting of Council

to be held on

THURSDAY 18 MAY 2023 AT 6.00 PM

at

DIDCOT CIVIC HALL, BRITWELL ROAD, DIDCOT, OX11 7JN

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Note: Please remember to sign the attendance register.

Agenda

1 Apologies for absence

To record apologies for absence.

2 Election of Chair

To elect a chair of council for the municipal year 2023/24.

3 Appointment of Vice-Chair

To appoint a vice-chair of council for the municipal year 2023/24.

4 Minutes (Pages 4 - 12)

To adopt and sign as a correct record the Council minutes of the meeting held on 14 March 2023.

5 Declarations of interest

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

6 Urgent business and chair's announcements

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

7 Appointments to committees, panels and joint committees for 2023/24 (Pages 13 - 19)

To consider the report of the head of legal and democratic on the appointment to those committees required to be politically balanced together with the Licensing Acts Committee and joint committees.

8 Election of leader of the council

Council is invited to elect a leader of the council in accordance with the Cabinet arrangements and procedure rules as set out in the council's constitution for a term of office beginning immediately and ending on the date of the annual Council meeting in May 2027 (following the district council elections scheduled for May 2027).

The leader of the council will report on:

- the appointment of the deputy leader of the council
- the membership of the Cabinet and the allocation of portfolios

- the leader's scheme of delegation to cabinet members and officers

9 Allowances for Independent Persons (Pages 20 - 27)

To consider the head of legal and democratic's report.



Patrick Arran
Head of Legal and Democratic

Minutes

OF A MEETING OF THE

Council



Listening Learning Leading

Held on Tuesday 14 March 2023 at 6.00 pm
Didcot Civic Hall, Britwell Road, Didcot, OX11 7JN

Present in the meeting room:

Councillors: David Turner (Chair), Anna Badcock, David Bartholomew, Tim Bearder, Sam Casey-Rerhaye, Sue Cooper, Peter Dragonetti, Kate Gregory, Victoria Haval, Lorraine Hillier, Kellie Hinton, Mocky Khan, Lynn Lloyd, Caroline Newton, Andrea Powell, Leigh Rawlins, David Rouane, Anne-Marie Simpson, Ian Snowdon, Alan Thompson, Andrea Warren and Celia Wilson

Officers: Patrick Arran, Head of Legal & Democratic and Monitoring Officer, Steven Corrigan, Democratic Services Manager.

Apologies for absence were submitted on behalf of Councillors Ken Arlett, Pieter-Paul Barker, Robin Bennett, David Bretherton, Maggie Filipova-Rivers, Stefan Gawrysiak, Alexandrine Kantor, George Levy, Axel MacDonald, Jane Murphy, Jo Robb and Ian White

60 Minutes

RESOLVED: to approve the minutes of the meetings held on 8 December 2022 and 16 February 2023 as correct records and agree that the Chair sign them as such.

61 Declarations of interest

Councillor Rawlins declared an interest in agenda item 7 as a member of Sonning Common Parish Council. As the interest did not relate to the financial affairs or wellbeing of the parish council, he took part in the debate and vote on the item.

62 Urgent business and chair's announcements

The Chair of Council, Councillor Turner, advised that, in accordance with Section 100B (4) (b) of the Local Government Act 1972, he had agreed to take one item of urgent business at the meeting – the adoption of the Benson Neighbourhood Development Plan.

The reason for urgency being that the council received the planning examiner's report on the Benson Neighbourhood Development Plan last week and Regulations required Council to make a decision on whether to adopt the Plan by 14 April 2023, prior to the next scheduled Council meeting.

Councillor Turner advised that the item would be taken after agenda item 7.

63 Public participation

John Salmons asked the following question of Councillor Andrea Powell, Cabinet member for corporate services, policy and programmes.

Regarding the Council's proposal (P22/V2705/FUL) to develop land within Great Western Park, Didcot (GWP) from its approved use as a wildflower meadow into a council maintenance depot, considering the Council's stated aim to "celebrate, protect and enhance our natural assets", that the Council has previously acknowledged there is a deficit of public open space in Didcot, that residents purchased their homes on the basis of the approved plans for the wildflower meadow, that those same residents who paid a premium to overlook the wildflower meadow have since endured eight years of the site being used apparently without planning permission as a construction compound by the developers, that despite the Council's stated aims regarding openness and transparency it submitted its planning application without appearing to consult or notify any residents of its decision to pursue this scheme, that despite the Council's attempts to present the scheme as being somehow required in connection with maintaining open spaces within GWP itself the proposal was in fact for a central depot from which grounds maintenance would be performed across the South and Vale districts (an area of which GWP makes up only 0.1%), that the application submitted on behalf of the Council contained numerous false or misleading representations regarding material planning considerations, that even without proper engagement the proposal has been unanimously rejected by the community with over 80 formal objections, 390 petition signatures, objections from Harwell Parish Council, Didcot Town Council, and Oxfordshire County Council, and that the Council's response to resident's concerns thus far appear to have included attempts to dismiss their concerns as "misinformation", to pit GWP residents against each other, and suggestions that residents simply haven't understood the "very clear and positive rationale" for having their long awaited wildflower meadow replaced with a maintenance depot, what steps does the Councillor propose the Council take to regain the trust of the GWP community, which has been so badly damaged by this proposal, and does the Councillor agree a commitment to protect the community's wildflower meadow, in line with the Council's stated aims, would be a good place to start?

Councillor Powell responded as follows:

Thank you for your question.

My understanding is that this site forms part of the Didcot Garden Town masterplan, and that the application was submitted with a focus on the technical requirements for a new grounds maintenance facility to service the substantial amount of new public open green space being provided as part of this project.

The actual intention is to remove the existing builders depot, which is certainly a blot on the landscape, to create a much smaller depot for the Councils' grounds maintenance service and to landscape the rest of the site, including the planting of a wildflower meadow.

As part of the planning application, all of the standard consultees were informed and, as has been pointed out, many comments and objections were received. The application has been withdrawn to take on board the feedback received.

It is clear that the communication in this instance was not as good as it should have been, particularly taking into account the high-profile nature of this site and its importance to the local community. While technically accurate, the application did not give a true sense of what is being proposed, and better engagement with the public would have helped to alleviate their perfectly reasonable concerns. I am confident that we can do better and will ensure the points raised are addressed fully when the revised application is ready for submission.

64 Petitions

None.

65 Making the Sonning Common Development Plan

Council considered the recommendation of Councillor Simpson, Cabinet member for planning, made on 2 March 2023, to make the Sonning Common Neighbourhood Development Plan part of the development plan for South Oxfordshire.

RESOLVED: to

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

66 Benson Neighbourhood Development Plan Review - urgent item

Council considered the recommendation of Councillor Simpson, Cabinet member for planning, made on 13 March 2023, to make the Benson Neighbourhood Development Plan part of the development plan for South Oxfordshire.

RESOLVED: to

1. make the Benson Neighbourhood Development Plan Review with the modifications specified in the Examiner's report;
2. authorise the head of policy and programmes, in consultation with the Cabinet member for planning, and in agreement with the Qualifying Body, Benson Parish Council, to correct any spelling, grammatical, typographical or factual errors together with any improvements from a presentational perspective.

67 Progress on approved Council motions

Council noted the schedule showing the progress on approved motions.

68 Report of the leader of the council

Councillor Rouane, Leader of the council, provided an update on a number of matters.

69 Questions on notice

A. Question from Councillor Snowdon to Councillor Rouane, Leader of the council.

Can the leader explain how South Oxfordshire District Council's own planning application P22/V2705/FUL, which proposes to tarmac over open green spaces earmarked as a wildflower meadow next to a proposed allotment, which will destroy a huge amount of biodiversity, whilst also being overshadowed by brownfield industrial land, meets with the alleged priorities of this council to tackle the climate emergency?

Written Response

South Oxfordshire and Vale of White Horse District Councils will take over responsibility for the maintenance and management of large areas of open space at Great Western Park once the land is handed over from the developers in an adoptable condition.

Our application proposed to make best use of a small area of the land in the Vale of White Horse that is currently being intensively used by the developers as a storage compound for materials (whilst they build homes) to establish a grounds maintenance hub for both this council and the Vale of White Horse District Council. This will help our grounds maintenance teams to respond quicker to service requests in the area, reduce travel time and carbon emissions, and ultimately serve the community more efficiently.

The proposed grounds maintenance hub does not impact on the developer's ability to deliver its requirements, including allotments, and clearly the responsible Councils will have the ability to choose how to manage the whole Great Western Park area in the years ahead. We are increasingly taking a biodiversity focussed approach to offset environmental impacts. This will include planting additional areas as wildflower meadows, to reflect the fact that a small area that had been proposed to be planted in this way (after the developer eventually vacated their compound) would instead have been used for the grounds maintenance hub and we will look to include enhancements such as screening and tree planting as part of any provision.

Following our engagement with the local community, the Councils will be working with our planning agent to determine next steps in relation to a planning application that better demonstrates what is proposed and the very clear and positive rationale for this. Our proposals are about serving the whole resident population of the Great Western Park community, who we expect will want to benefit from beautiful public spaces, carefully managed in the most efficient and climate responsible way that we can, whilst also meeting the needs of residents across South Oxfordshire.

Supplementary question and response

Councillor Snowdon asked if the withdrawal of the planning application was to allow for better engagement with the public, as stated in Councillor Powell's response to the public question, or the result of or misinformation in the media as communicated to members of Vale of White Horse District Council

Councillor Rouane responded that both reasons were consistent. The council had listened to the consultation responses and there was a clear misunderstanding regarding the scope of the planning application.

B. Question from Councillor Snowdon to Councillor Bennett, Cabinet member for economic development and regeneration

Will the Cabinet member responsible for delivering infrastructure on housing developments explain in his almost four years in that role, what he has delivered for the residents of Great Western Park, Didcot now that the final houses have been completed? In particular, the GP surgery, allotments, youth shelter, orchard, playparks and so on, which are all part of the masterplan?

Written Response

We are all keen to see valued infrastructure delivered, but the question infers that it is the Council that are responsible for delivering these facilities, which is simply not correct, although statements made by previous administrations may well, perhaps, have implied this was the case.

The facilities referred to in this question are, and always have been, identified to be delivered by either the developer, or by other partners, as part of the completion of the development, not by the Council. Even so, we have voluntarily committed significant senior officer time to holding developers and others to account regarding their commitments, which has led to significant progress.

I hope Councillor Snowdon, as an experienced councillor, will be supportive in accurately communicating to residents what are, and are not, the responsibilities of the council in these matters, because part of our role as ward members is to explain accurately how these planning processes work.

In addition to over 2,600 homes that have been delivered the site has already delivered schooling, a nursery, a community centre, retail, an extra care facility and sports provision as well as supporting the creation of a vibrant and positive sense of community.

Whilst there is no statutory role for the council in the provision of healthcare facilities, I understand the Vale of White Horse District Council is positively supporting the Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board and related stakeholders to procure the provision of the healthcare facilities on GWP. I believe regular meetings are taking place between the various parties to move the project forward and the ICB/Vale of White Horse District Council is looking to share a joint update with local residents shortly.

Supplementary question and answer

Councillor Snowdon asked why neither the allotments nor play facilities, a condition of the planning permission, had been provided.

In the absence of Councillor Bennett, Councillor Rouane responded that the council only accepted the handover of facilities from developers once it was satisfied that they were fit for purpose.

C. Question from Councillor Bartholomew to Councillor Rouane, Leader of the council

The bulky waste collection service was suspended at the beginning of the year, so when residents tried to book collection, they were advised they should take bulky items to Household Waste Recycling Centres (HWRCs) themselves. This suggestion was not helpful, as residents that use the collection service are generally ones that are unable to take bulky items to HWRCs themselves! Furthermore, any suspension is likely result in an increase in fly-tipping.

Why was so little advance publicity given to this matter and why was proper advance planning not in place to avoid any suspension of the service in the first place?

Written Response

The bulky waste collection service is suspended every year in January while the waste contractor catches up on normal collection because of the Christmas bank holidays. It also helps them to collect all the extra Christmas waste presented at this time. This suspension is planned well in advance and residents wishing to make a booking are made aware through the booking system on the councils' website.

The suspension period was different this year as we needed to use it to carry out work on IT systems and collection processes to ensure we met our legal requirements for the collection and disposal of upholstered domestic seating, such as sofas, armchairs and home office chairs. How we collect and dispose of these items changed from the start of 2023, and we needed to ensure we were able to provide the service whilst protecting the environment and meeting legislative requirements.

Officers had anticipated that the service would reopen again, as normal, at the start of February, but this was delayed due to some technical issues in changing the booking system. Because the delay in reopening the service was anticipated to be relatively short, we communicated this to customers through the booking website, and this would have affected the approximately 40 households per week who use the service. This was as opposed to communicating to the wider 55,000+ households that have the regular household waste collection service.

I can confirm that the service fully reopened on 22 February.

During the suspension of the service, residents enquiring about a collection were reminded that, if they did not wish to keep hold of the items until the service restarted, there remained the option to take the items to their local Household Waste Recycling Centre (HWRC). We also reminded residents that they could consider donating items that are suitable for reuse to a number of charities.

It is acknowledged that the suspension may have impacted on the ability of some residents to book a bulky waste collection, but it was necessary to enable us to do the work that was required to continue to handle waste compliantly. I am pleased that the service has now fully reopened and will continue to operate as normal.

Supplementary question and answer

Councillor Bartholomew asked why residents were not informed in advance of the suspension rather than once they sought a booking.

Councillor Rouane responded that the number of residents using the scheme was relatively low and therefore marketing the issue wider would have been a waste of resources and unnecessary.

70 Motions on notice

- (1) Councillor Newton moved and Councillor Badcock seconded, in the absence of Councillor Murphy, the motion as set out on the agenda at agenda item 11 (1):

Whilst a number of members spoke in support of the motion, other members expressed the view that the motion did not acknowledge the Climate Emergency, the commitment to be Zero Carbon by 2050 or the need for alternative sources of electricity. The view was also expressed that the council already had policies in place that require that schemes should not cause a significant adverse effect on the landscape and that such issues were considered in the determination of planning applications.

In accordance with Council Procedure Rule 68, which provides for a recorded vote if three members request one, the chair called for a recorded vote on the motion which was declared carried with the voting as follows:

For	Against	Abstain
Councillors	Councillors	Councillors
Anna Badcock	Kellie Hinton	Tim Bearder
David Bartholomew	Mocky Khan	Sam Casey-Rerhaye
Peter Dragonetti	Celia Wilson	Sue Cooper
Lorraine Hillier		Kate Gregory
Lynn Lloyd		Victoria Haval
Caroline Newton		Andrea Powell
Ian Snowdon		Leigh Rawlins
Alan Thompson		David Rouane
Andrea Warren		Anne-Marie Simpson
		David Turner
9	3	10

RESOLVED:

That this Council acknowledges the need for renewable energy to be generated here in this district to help meet demand for power and accepts that solar power will be a part of this mix until other technologies come forward.

However, this Council is concerned that some villages and valued landscapes in the district could be disproportionately affected by the cumulative impact of solar farms; and that valuable agricultural land is at risk of being taken out of production.

In this regard, this Council welcomes the emphasis in the draft National Planning Policy Framework to considering the availability of agricultural land for food production when deciding which sites are most appropriate for solar farm development.

Council therefore asks officers to fully consider the cumulative impact of solar farm development during the planning process now; and urgently to progress work on policies relating to solar energy generation, to include:

- Developing planning policies that balance the benefits of local power generation with the loss of productive agricultural land and valuable landscape;
- Ensuring that the cumulative impacts of large solar arrays in open countryside and in the vicinity of settlements are fully assessed in the development management process;
- Limiting excessive massing of solar farms in any area of the district; and
- Encouraging the deployment of rooftop solar and exploring approaches for heritage assets.

(2) Councillor Khan moved and Councillor Wilson seconded the motion as set out on the agenda at agenda item 11(2):

Whilst supporting the motion to seek to address a need in Didcot resulting from the growth in population, a number of members highlighted the shortage of NHS facilities in other parts of the district. Whilst the council had no statutory role in the provision of healthcare services, it is positively engaging with the Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board and Partnership in relation to the provision of the healthcare facilities across the district and is a participating member in many of the groups named in the motion.

On being put to the vote the motion was declared carried.

RESOLVED:

That South Oxfordshire District Council believe there is a clear need for:

- a health centre and GP hub for Great Western Park in Didcot
- a well-resourced Minor Injuries Unit or similar (which could be based at Didcot Community Hospital)
- more NHS dental facilities for Didcot and the villages
- increased resources to support mental health

Council resolves:

1. As a first step, to share its concerns with the following bodies by writing to and engaging with:

- a) Didcot Primary Care Network
- b) Oxfordshire Health and Wellbeing Board
- c) Healthwatch Oxfordshire
- d) Oxfordshire Joint Health Oversight and Scrutiny Committee
- e) The Buckinghamshire, Oxfordshire, Berkshire West (BOB) Integrated Care Board
- f) The BOB Integrated Care Partnership

2.To call on all those responsible for health decisions that affect the wellbeing of South Oxfordshire District Council residents, to work together to ensure these needs are urgently addressed. We look particularly to the newly established Buckinghamshire, Oxfordshire & West Berkshire Integrated Care Board for a response to these serious concerns.

The meeting closed at 7:35pm

Chair

Date

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Council report



Report of Head of Legal and Democratic

Author: Steven Corrigan, Democratic Services Manager

Tel: 07717 274704

E-mail: steven.corrigan@southandvale.gov.uk

To: COUNCIL

DATE: 18 May 2023

Appointments to committees, panels and joint committees 2023/24

Recommendations

That Council:

1. appoints the committees and panels for the 2023/24 year, allocates seats to each political group and appoints councillors and substitutes to sit on them in accordance with paragraphs 9-13 of this report and as set out in the schedule circulated at the meeting;
2. appoints chairs and vice-chairs as set out in the schedule circulated at the meeting;
3. appoints councillors to the Community Grants Panel as set out in the schedule circulated prior to the meeting;
4. appoints councillors to the Climate and Ecological Emergencies Advisory Committee in accordance with paragraphs 15 and 16 of this report and as set out in the schedule circulated at the meeting;
5. appoints councillors to the Licensing Acts Committee in accordance with paragraphs 17-18 of this report and as set out in the schedule circulated at the meeting;
6. appoints a representative and a substitute on the Oxfordshire Joint Health Overview and Scrutiny Committee;
7. appoints a representative and a substitute on the Thames Valley Police and Crime Panel;
8. appoints three representatives to the Future Oxfordshire Partnership Scrutiny Panel;
9. authorises the head of legal and democratic to make appointments to any vacant committee or panel seat and substitute positions in accordance with the wishes of the relevant group leader.

Purpose of report

1. This report invites Council to agree appointments to those committees required to be politically balanced together with the Climate and Ecological Emergencies Advisory Committee, Community Grants Panel and the Licensing Acts Committee. It also invites Council to make appointments to joint bodies.

Background

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

Strategic Objectives

5. This report supports the council's corporate plan theme of Working in an open and accountable way. It is also in line with the council's requirement to review the political complexion of committees and other bodies, having regard to the Local Government and Housing Act 1989.

Political balance

6. The number of seats held by the various political groups following the elections on 4 May 4 2023 is as follows:

Liberal Democrat	21	58.33%
Green	8	22.22%
Henley Residents Group	3	8.33%
Labour	3	8.33%
Non-group councillor	1	2.78%

7. The Local Government (Committees and Political Groups) Regulations 1990 require a constituted political group to be two or more members. As such the Conservative councillor is designated as a non-group councillor.

Composition of committees

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

Committee	Members	Comments
South Scrutiny Committee	9	
Joint Scrutiny Committee	5	10 in total with Vale of White Horse District Council
Joint Audit and Governance Committee	4	8 in total with Vale of White Horse District Council
Planning Committee	11	
General Licensing Committee	12	
Community Governance and Electoral Issues Committee	6	
Appeals Panel	3	
Joint Staff Committee	5	10 in total with Vale of White Horse District Council
Totals	55	

- The membership of the General Licensing Committee and the Licensing Acts Committee are the same, although they are two separate entities. This allows for a sufficiently large, well trained pool of councillors from which to draw the Taxi Licensing and Licensing Panels and avoids confusion as to which members are on which committee. These committees may appoint the same, or different chairs and vice chairs.
 - The co-chairs of the Joint Scrutiny committee should be the same as the chairs of the district Scrutiny committees to eliminate potential conflict around the call in arrangements and work programmes.
9. The terms of reference of the council's committees and panels are set out in the constitution.
10. The political balance calculation and the entitlements to seats on committees are set out in the tables below. Fractional entitlements of less than one half are rounded down and entitlements of one half or more are rounded up. Some adjustments must be made to ensure that the overall percentage of seats is correctly apportioned.

Group members/non-group councillor	Group members	Number of committee seats
Liberal Democrat	21	32
Green	8	12
Henley Residents Group	3	5
Labour	3	5

Non group councillor	1	0
TOTAL	36	54(+1)

	Green	HRG	Labour	Liberal Democrat	Total
Appeals Panel 3 seats	1	0	0	2	3
Community Governance and Electoral Issues Committee 6 seats	1	1	1	4	7(-1)
General Licensing Committee 12 seats	3	1	1	7	12
Joint Audit and Governance 4 seats	1	0	0	2	3(+1)
Joint Scrutiny 5 seats	1	0	0	3	4(+1)
JSC 5 seats	1	0	0	3	4(+1)
Planning 11 seats	2	1	1	6	11(+1)
Scrutiny 9 seats	2	1	1	5	9
Total	12	4(+1)	4(+1)	32	55

- To obtain balance across the committees and overall, the Henley Residents Group and Labour Group must each gain an additional seat. The remaining seat should be offered to the non-group councillor.
- Council will need to agree the adjustments shown in brackets.

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

Substitutes

12. Each political group is entitled to the same number of preferred substitutes as the number of ordinary seats it holds on a committee or panel, and up to a maximum of three preferred substitutes where it has fewer than three members on a committee or panel. All substitutes for regulatory committees must have met the relevant training requirement, regardless of whether they are preferred or other substitutes.

Community Grants Panel

13. There is a maximum of nine seats (balanced politically) on the Community Grants Panel. This panel is not subject to the regulations detailed in paragraph 3 of this report and, therefore, has no effect on the overall allocation of seats. For this panel to be politically balanced alone, five seats are allocated to the Liberal Democrat Group, two to the Green Group and one seat each to the Henley Residents Group and Labour Group.
14. In accordance with the Council's constitution, each political group is entitled to substitutes as detailed in paragraph 12 above.

Climate and Ecological Emergencies Advisory Committee

15. This committee, comprising seven members, is not subject to the regulations detailed in paragraph 3 of this report and, therefore, has no effect on the overall allocation of seats. Council is invited to agree the membership of the committee.
16. In accordance with the Council's constitution, each political group is entitled to substitutes as detailed in paragraph 12 above.

Licensing Acts Committee

17. The Licensing Acts Committee is a statutory committee and is not required to be included in the calculation of political balance. The whole committee meets rarely to deal with licensing and gambling policy matters but a membership of 12 provides a pool of councillors from which panels of three can be drawn to deal with hearings relating to premises licence applications and reviews, and gambling matters.
18. Council has previously agreed to appoint a committee in accordance with the political balance of the Council. The membership will mirror the membership of the General Licensing Committee and will, therefore, be politically balanced but will not in itself contribute to the total political balance of the council's committees.
19. As a statutory committee with a specified membership substitutes may not be appointed.

Eligibility to sit on committees and panels.

- Any member of the council may be appointed to any committee with the following exceptions and caveats:
- No member of Cabinet may sit on any Scrutiny Committee;
- No member of Cabinet may sit on the Joint Audit and Governance Committee;
- No member of Cabinet may sit on the Planning Committee;
- The Chair or Vice Chair of Council may not be the Chair or Vice Chair of any committee or panel;
- No Cabinet member may be the Chair or Vice Chair of any committee or panel with the exception of the Joint Staff Committee;

- Most panels meet during the daytime, and only members who have some daytime availability should be selected for these panels. This includes General Licensing Committee and Licensing Acts Committee, which do most of their work through daytime panels.

Appointments

20. Officers will discuss seek to agree the adjustments with group leaders and have invited group leaders to submit the names of councillors they wish to sit on each of the above bodies. A table of nominations will be circulated prior to the meeting.

Joint Health Overview and Scrutiny Committee

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

Thames Valley Police and Crime Panel

22. Council is invited to appoint a representative and a substitute to the Thames Valley Police and Crime Panel.

Future Oxfordshire Partnership Scrutiny Panel

23. The Future Oxfordshire Scrutiny Panel enables effective and coordinated scrutiny of the Future Oxfordshire Partnership functions, recommendations and decisions. The Scrutiny Panel is non-statutory to enable flexibility for the constituent councils to reflect local scrutiny membership. The ability of the constituent council scrutiny committees to scrutinise the Future Oxfordshire Partnership remains. The chair will be elected by the members of the Scrutiny Panel.
24. As a non-statutory panel, the Scrutiny Panel does not need to be politically balanced, but councils are asked to have regard to their own political balance in making appointments.
25. Council is invited to appoint three representatives to the Scrutiny Panel.

Financial implications

26. There are no direct financial implications.

Legal implications

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

Climate and ecological impact implications

28. There are no climate or ecological implications arising from this report.

Conclusion

29. In deciding the committees and panels it wishes to establish for the 2023/24 year, Council is required to allocate seats to political groups in the same proportion as they hold on the council as a whole. Against that background, Council is invited to establish the committees and panels set out in the table in paragraph 9 of this report and to appoint councillors to them. Council is also invited to appoint councillors to the Community Grants Panel, the Climate and Ecological Emergencies Advisory Committee and the Licensing Acts Committee and to appoint representatives to the Oxfordshire Joint Health Overview and Scrutiny Committee, the Thames Valley Police and Crime Panel and the Future Oxfordshire Partnership Scrutiny Panel. If all committee and panel seats and substitute places are not filled at the meeting, Council is invited to delegate authority to the head of legal and democratic to make appointments in accordance with the wishes of the relevant group leader.

Background Papers: None.

Council



Report of the Head of Legal and Democratic

Author: Steve Culliford

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To: COUNCIL

DATE: 18 May 2023

Allowances for Independent Persons

Recommendations

That Council:

1. considers the recommendations of the Joint Independent Remuneration Panel;
2. agrees that an allowance of £1,768 per annum be paid to the independent member of the Joint Audit and Governance Committee with effect from the date of the appointment, the cost shared equally with Vale of White Horse District Council;
3. agrees that an allowance of £583 per annum be paid to each independent person appointed by the head of legal and democratic to assist in dealing with code of conduct matters, the cost shared equally with Vale of White Horse District Council, and to be backdated to 1 April 2023;
4. agrees that the allowances above be subject to annual increases in line with the increase in allowances paid to councillors; and
5. authorise the head of legal and democratic to update the councillors' allowances scheme to make reference to the allowances to independent persons set out above.

Purpose of Report

1. To consider the report and recommendations of the Independent Remuneration Panel on allowances for independent persons.

Background

2. The Local Government Act 2000 and Local Government (Members Allowances) (England) Regulations 2003 require the council to make a scheme of allowances payable to councillors and to make payments only in accordance with the adopted scheme. An independent remuneration panel must be established to review the councillors' allowances scheme and make recommendations on the level of allowances to be paid. Council is responsible for approving the councillors' allowances scheme. Council must have regard to, but is not bound by, the panel's

recommendations. The Council established a joint Independent Remuneration Panel with Vale of White Horse District Council for this purpose in 2020. Council adopted a councillors' allowances scheme in 2021. The scheme sets out allowances for elected district councillors but does not include allowances for any independent roles.

3. At its meeting on 8 December 2022 Council considered the recommendations of the Joint Audit and Governance Committee from its meeting on 15 November 2022 and resolved to appoint an independent person to that committee. The head of legal and democratic was authorised to make that appointment. Council also resolved to ask the Independent Remuneration Panel to consider an appropriate level of remuneration for the role of independent person to the Joint Audit and Governance Committee and an appropriate level of remuneration to the independent persons dealing with code of conduct matters.
4. An independent person is a non-councillor who is suitably qualified for the role and brings specialist knowledge, expertise and insight. They bring an independent view to the council, reinforcing political neutrality.

Panel report

5. In February 2023 the Independent Remuneration Panel met to consider the Council's December 2022 decision to:
 - ask the panel to consider an appropriate level of remuneration for the role of independent person to the Joint Audit and Governance Committee; and
 - ask the panel to consider an appropriate level of remuneration for the independent persons dealing with code of conduct matters if the panel consider that the roles should be remunerated.
6. Appended to this covering report is the report of the Independent Remuneration Panel. This details the reasons and rationale for the panel's recommendations.
7. The panel believes that both roles should be remunerated. The panel has recommended that:
 - the role of independent person to the Joint Audit and Governance Committee should receive an allowance of 50 per cent of the special responsibility allowance paid to the chair of the Joint Audit and Governance Committee. Therefore, from 1 April 2023 the allowance for the independent person on the Joint Audit and Governance Committee should be £1,768 per annum (50% of the chair's allowance of £3,535).
 - the independent persons dealing with code of conduct matters should each receive an allowance of 33 per cent of the allowance payable to the independent person on the Joint Audit and Governance Committee. Therefore, from 1 April 2023 the allowance for these independent persons dealing with code of conduct matters should be £583 per annum (33% of £1,768).

Failure to fulfil the independent role

8. Currently, these independent roles are not remunerated. If Council adopts the panel's recommendations the independent persons appointed to these roles will be paid an allowance, funded from the public purse. The holders of these roles must be held accountable to the council. If an independent member/person is not fulfilling their role to which they were appointed, and for which they are being paid an allowance by the council, the council should be able to remove that person from the

independent role and replace them. Detailed proposals will come forward as part of the constitution review.

Financial Implications

9. There will be one independent member of the Joint Audit and Governance Committee and there are currently six independent persons assisting the Monitoring Officer with code of conduct casework. The current budget does not include provision for the payment of these allowances. If the allowances are approved, officers will consider submitting an essential growth bid for the 2024/25 financial year. Payment of the allowances in 2023/24 will be met from either underspends in the current base budget or from contingency. The allowances paid will be shared equally with Vale of White Horse District Council. The allowance for the independent person on the Joint Audit and Governance Committee will be paid from the date of their appointment. This means that this council's share of the allowances will equate to a maximum of £884 in 2023/24 to the independent person on the Joint Audit and Governance Committee and £291.50 per annum to each independent person appointed to assist the council in code of conduct matters.
10. To follow normal practice, these allowances should be subject to annual increases in line with the increases of councillors' allowances, which are tied to increases in staff salaries.

Legal Implications

11. There is no legal requirement for the council to award allowances to the independent member of the Joint Audit and Governance Committee or to the independent persons assisting with code of conduct work. However, in the case of the former, the Chartered Institute of Public Finance and Accountancy recommends co-opting an independent person to the council's committee. Some councils have done this and are paying an allowance for this role. As such, Council chose to ask the panel to recommend suitable levels of remuneration.

Equality and diversity implications

12. The award of allowances to these independent roles may contribute to increasing the diversity and making these roles more accessible.

Climate and Ecological Emergencies Implications

13. There are no direct climate and ecological implications arising from this report.

Conclusion

14. The Independent Remuneration Panel undertook a review of allowances for independent persons at the request of Council. The panel has recommended that allowances are paid to the individuals appointed to these roles. The cost will be shared equally with Vale of White Horse District Council.

Appendices

- Appendix 1 – the Independent Remuneration Panel’s report, dated March 2023

Background papers

None

Appendix 1



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**The report of the Independent Remuneration Panel  
appointed to review the allowances paid to Councillors  
of South Oxfordshire & Vale of White Horse District  
Councils**

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March 2023

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1. INTRODUCTION AND TERMS OF REFERENCE

- 1.1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 ("the 2003 Regulations"), as amended, require all local authorities to appoint an independent remuneration panel (IRP) to advise on the terms and conditions of their scheme of councillors' allowances.
- 1.1.2 The Councils formally appointed the following persons to undertake this process and make recommendations on its future scheme.

John Bradon – Local resident
David Rushton- Local resident
Mr Mark Palmer – Development Director, South East Employers (Chair)

- 1.1.3 Our terms of reference were in accordance with the requirements of the 2003 Regulations, together with "Guidance on Consolidated Regulations for Local Authority Allowances" issued jointly by the former Office of the Deputy Prime Minister and the Inland Revenue (July 2003). The terms of reference were as follows:

- *To ask the Independent Remuneration Panel to consider an appropriate level of remuneration for the role of independent person to the councils' Joint Audit and Governance Committee. Although it is not yet mandatory for the councils to have an independent person on their joint audit committee, this is likely to be a requirement in the near future. The panel to recommend a suitable level of remuneration for such a role. The Panel to review the Monitoring Officer's report to both councils setting out the background to the role and the personal specification for the independent person role on the Joint Audit and Governance Committee.*
- *To ask the Independent Remuneration Panel to consider an appropriate level of remuneration for the six independent persons dealing with code of conduct matters, if the panel consider that the roles should be remunerated. The Panel referenced the Monitoring Officer's report and the recruitment pack for the code of conduct independent persons.*

2. CONSIDERATIONS AND RECOMMENDATIONS

2.1 Independent Person to the Councils Joint Audit and Governance Committee

- 2.1.1 The Panel considered the Monitoring Officers Report to both Councils that set out the background to the role; this also included a Persons Specification. The Panel also reviewed comparative data from the limited number of Councils that had appointed to the role. The comparative data is set out below:

Council	Amount per annum	Link
Peterborough	£1500	Independent Members of Audit Committee - Peterborough City Council - Peterborough Council – Jobs and Careers
Hertfordshire	£1000	Independent Member of the Audit Committee November 2021 (jobsgopublic.com)
Southend	£1084	SOUTHEND ON SEA BOROUGH COUNCIL
Sevenoaks & Dartford	£1600 (two Councils)	Independent Member - Audit Committee March 2022 (jobsgopublic.com)
Sunderland	£3139	https://www.northeastjobs.org.uk/Get.aspx?id=11334315

- 2.1.2 The Panel was of the view that the allowance should be based on that of the Chair of the Joint Audit and Governance Committee. The allowance from 1st April 2023 is £3,535. The Panel was of the view that the Independent Person to the Councils Joint Audit and Governance Committee should receive an allowance of 50% of the Chair of the Committee.

WE RECOMMEND that the Independent Person to the Councils Joint Audit and Governance Committee receive an allowance of 50% of the Chair of the Committee: £1,768 from 1st April 2023.

2.2 Independent Persons Allowance

- 2.2.1 The Panel considered the Monitoring Officers Report and the Recruitment Pack for the Six Independent Persons dealing with Code of Conduct issues. The Panel also analysed the comparative data with regards the allowances for Independent Persons as set out in the South East Employers Members Allowance Survey October 2022. Finally, the Panel took note of the advice of the Monitoring Officer that each Independent Person spent around two days per annum assisting the Monitoring Officer.
- 2.2.2 The Panel recommends that the six Independent Persons dealing with Code of Conduct issues should each receive an allowance based on 33% of the Independent Person to the Councils Joint Audit and Governance Committee (£1,768 from 1st April 2023). This equates to £583 per annum.

WE RECOMMEND that the six Independent Persons dealing with Code of Conduct Issues each receive an annual allowance of £583. This allowance is based on 33% of the recommended allowance of the Independent Person to the Councils Joint Audit and Governance Committee from 1st April 2023.

**Mark Palmer (Chair of the Independent Remuneration Panel)
Development Director**