

Cherwell District Council

Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 27 February 2023 at 6.30 pm

Present:

Councillor Les Sibley (Chairman)
Councillor Jason Slaymaker (Vice-Chairman)
Councillor Hannah Banfield
Councillor Andrew Beere
Councillor Rebecca Biegel
Councillor Nathan Bignell
Councillor Maurice Billington
Councillor John Broad
Councillor Hugo Brown
Councillor Phil Chapman
Councillor Mark Cherry
Councillor Patrick Clarke
Councillor Ian Corkin
Councillor Gemma Coton
Councillor Andrew Crichton
Councillor Sandy Dallimore
Councillor John Donaldson
Councillor Donna Ford
Councillor Ian Harwood
Councillor David Hingley
Councillor Matt Hodgson
Councillor Simon Holland
Councillor Nicholas Mawer
Councillor Fiona Mawson
Councillor Ian Middleton
Councillor Perran Moon
Councillor Adam Nell
Councillor Dr Chukwudi Okeke
Councillor Angus Patrick
Councillor Lynn Pratt
Councillor Chris Pruden
Councillor Eddie Reeves
Councillor George Reynolds
Councillor Dan Sames
Councillor Katherine Tyson
Councillor Dorothy Walker
Councillor Amanda Watkins
Councillor Douglas Webb
Councillor Fraser Webster
Councillor Bryn Williams
Councillor Barry Wood
Councillor Sean Woodcock

Apologies for absence:

Councillor Mike Bishop
Councillor Colin Clarke
Councillor Jean Conway
Councillor Nick Cotter
Councillor Kieron Mallon
Councillor Richard Mould

Officers:

Yvonne Rees, Chief Executive
Stephen Hinds, Corporate Director Resources
Shiraz Sheikh, Assistant Director Law, Governance & Democratic Services/Monitoring Officer
Joanne Kaye, Head of Finance and Deputy S151 Officer
Lynsey Parkinson, Finance Business Partner – Corporate
Natasha Clark, Governance and Elections Manager

Officers Attending Virtually:

Ian Boll, Corporate Director Communities
Michael Furness, Assistant Director Finance & S151 Officer
Shona Ware, Assistant Director Customer Focus

61 **Declarations of Interest**

There were no declarations of interest.

62 **Welcome**

The Chairman welcomed Members and officers to the meeting.

63 **Communications**

Councillor Cotter

Councillor Cotter's apologies had been reported to the meeting. Due to illness, with the support of his Group Leader Councillor Tyson, Councillor Cotter had asked that Council agree a dispensation from attending meetings until the May elections.

Council agreed the dispensation request. On behalf of Council, the Chairman extended best wishes to Councillor Cotter.

Committee Membership Change

The Leader of the Conservative Group, Councillor Wood, advised Council of a Conservative Group committee membership changes. Councillors Dallimore

and Williams had switched as named and full Committee member on Planning Committee.

Chairman's Engagements

A copy of the events attended by the Chairman was published with the agenda.

Chairman's Afternoon Tea

The Chairman reported that his Charity Afternoon Tea was held on Sunday 18 February and thanked everyone who had attended and donated. It was a very successful event with funds raised going to Alexandra House of Joy, the charity he was supporting during his term as Chairman.

Meeting Length

The Chairman referred to the email that had been sent all Councillors from the Monitoring Officer. It was the responsibility of all Councillors to ensure that the district council sets a lawful budget by 11 March. This was therefore the most important item on our agenda this evening and I will be ensuring that we allow enough time to debate the budget.

Due to the length of the agenda, out of courtesy to other Members, the Chairman asked Members to remain in their seat during items and advised, if needed, he would adjourn the meeting to allow for a comfort break at a suitable point.

Members' Pigeon Holes

Members were reminded to check their pigeon hole and take any post.

Resolved

- (1) That a dispensation to the date of the local elections, 4 May 2023, be granted to Councillor Cotter.
- (2) That the Conservative Group amendments to the Planning Committee membership be noted:
 - Councillor Dallimore: from named substitute to full Committee member
 - Councillor Williams: from full Committee member to named substitute

64 **Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

65 **Urgent Business**

There were no items of urgent business.

66 **Minutes of Council**

The minutes of the meeting held on 19 December 2022 were agreed as a correct record and signed by the Chairman.

67 **Minutes**

a) **Minutes of the Executive, Portfolio Holder Decisions and Executive Decisions made under Special Urgency**

Resolved

That the minutes of the meeting of the Executive and Lead Member decisions as set out in the Minute Book be received and that it be noted that since the last meeting of Council on 18 December 2022, no decisions had been taken by the Executive which were not included in the 28 day notice.

b) **Minutes of Committees**

Resolved

That the minutes of Committees as set out in the Minute Book be received.

68 **Questions**

a) **Written Questions**

The Chairman advised Council that two written question, addressed to the Leader of the Council, Councillor Wood, had been submitted with advance notice in accordance with the Constitution and had been published with the agenda. Responses to the questions had been published as a supplement to the agenda (and were an annex to the Minutes as set out in the Minute Book).

The first question was from Councillor Broad in relation to the Pan Regional Partnership (PRP).

By way of a supplementary question, Councillor Broad queried the inclusion of the OxCam ARC in the budget papers when the PRP was changing. The Leader explained that the PRP was a bottom up entity and there was no longer a centralised strategic plan rather an ongoing willingness to work together. The new organisation was currently in shadow form and when it stood up in the summer, the Overview and Scrutiny Committee may wish to consider inviting the independent PRP Chair to attend one of their meetings.

The second question was from Councillor Middleton in relation to the 5 year housing land supply.

By way of a supplementary question and referring to the Leader's published response, Councillor Middleton queried if the new formula would be applied to

the Cherwell Local Plan 2040. The Leader highlighted that there was a difference between information for monitoring reports and local plan making and offered to arrange an officer response if Councillor Middleton wished to have any further clarification.

b) Questions to the Leader of the Council

Questions were asked and answers received on the following issues:

Councillor Cherry: Fly tipping at Harlech Close, Banbury

Councillor Cherry: Woodgreen Avenue car park lights

Councillor Watkins: Cars and bicycles using pedestrianised areas in Banbury Town Centre

Councillor Woodcock: One year anniversary of the invasion of Ukraine and ongoing support by CDC

Councillor Pruden: Working with residents to build communities at Graven Hill

Councillor Mawer: Housing for Ukrainian refugees

Councillor Reynolds: Agenda length

Councillor Reynolds: Work from Home policy for Cherwell employees

Councillor Patrick: Lobbying central Government to support hybrid committee and parish meetings

c) Questions to Committee Chairmen on the Minutes

There were no questions to Committee Chairman on the minutes of meetings.

69

Members' Allowances 2023/2024

The Assistant Director Law and Governance and Monitoring Officer submitted a report to determine the levels of the allowances to be paid to Members for the forthcoming 2023/2024 financial year and proposed changes to the Members Allowance Scheme following the consideration of the report of the Council's Independent Remuneration Panel.

Resolved

- (1) That, having given due consideration, the Independent Remuneration Panel's recommendations be adopted and the following levels of allowances to be included in the 2023/2024 Members' Allowance Scheme be agreed:
 - That the Basic Allowance be increased by 2.75% in line with the agreed staff cost of living pay award for 2023/2024 & rounded up to give 12 equal payments.
 - Basic Allowance - £4836
 - That, a Special Responsibility Allowance (SRA) for the Chairman of the Council be introduced at the same rate as the basic allowance at £4704, backdated to 18 May 2022 (the date the current Council Chairman took up office) and that this replaces the current £2000 civic allowance and that this SRA be increased by 2.75%, in line

with the agreed staff cost of living pay award, for 2023/2024, rounded up, to give 12 equal payments.

- Chairman of the Council - £4836
- That the respective Leader and Deputy Leader Special Responsibility Allowances be combined with the Special Responsibility Allowance to Executive Members holding a portfolio, to become a single Special Responsibility Allowance for each role and it be noted that there is no change to the SRAs paid, rather the change ensures greater transparency.
- That Special Responsibility Allowances for the Leader, Deputy Leader, Executive Members holding a Portfolio, Leader of the Opposition, Chairman of Accounts, Audit and Risk Committee, Chairman of Budget Planning Committee, Chairman of Overview and Scrutiny Committee and Chairman of Planning Committee be increased by 2.75%, in line with the agreed staff cost of living pay award, for 2023/2024, rounded up to give 12 equal payments.
 - Leader of the Council - £15,408
 - Deputy Leader of the Council - £9936
 - Executive Members Holding a Portfolio - £7188
 - Leader of the Opposition - £3324
 - Chairman of the Accounts, Audit & Risk Committee - £3996
 - Chairman of the Budget Planning Committee - £3996
 - Chairman of the Overview and Scrutiny Committee - £3996
 - Chairman of the Planning Committee - £4788
- That the current arrangement for ad-hoc Special Responsibility Allowance payments to the Chairmen of the Licensing Committee, Personnel Committee and Standards Committee end and that fixed Special Responsibility Allowances be paid to reflect that these committees now have scheduled meetings (2 each for Licensing Committee and Standards Committee and 4 for Personnel Committee) and it be agreed that, as the fixed SRA was based on 2022/2023 allowance levels, the SRAs be increased by 2.75%, in line with the agreed staff cost of living pay award, for 2023/2024, rounded up, to give 12 equal payments.
 - Chairman of the Licensing Committee - £852
 - Chairman of the Personnel Committee - £1428
 - Chairman of the Standards Committee - £852
- That, as the Appeals Panel will continue to meet on an ad-hoc basis, there be no change to arrangements for Special Responsibility Allowance arrangements for the Appeals Panel Chairman, but the Allowance be increased by 2.75%, in line with the agreed staff cost of living pay award, for 2023/2024, rounded up, to give 12 equal payments:
 - Chairman of the Appeals Panel - £288 SRA plus £288 per meeting to a capped limit of £1728
- That a cap on the number of Special Responsibility Allowances paid to an individual councillor be introduced for the exceptional case that a councillor occupies two or more positions qualifying for an SRA, and that the limit be a maximum of two Special Responsibility Allowances be paid to one councillor at any one time.

- That the Co-optee and Independent Person Allowance be increased by 2.75%, in line with the agreed staff cost of living pay award, for 2023/2024, rounded up, to give 12 equal payments and that the roles be separated within the Members' Allowance Scheme:
 - Co-optee Allowance - £828
 - Independent Persons Allowance - £828
 - That Dependents' Carers' and Childcare Allowances remain at the current level, are paid on the basis of the actual costs incurred up to the maximum hourly rate set out below and to a maximum cap of 40 hours per month and are subject to the submission of receipts, with the restriction extended so neither allowance can be paid to a member of the claimant's household.
 - Childcare £10 per hour
 - Dependent relative care £20 per hour
 - That mileage remains at the current level in line with HMRC approved mileage rates and if any adjustments are implemented by HMRC then the revised rates should be applied to Members travel allowances at the date of implementation by HMRC.
 - Bicycles 20p per mile
 - Motorcycles 24p per mile
 - Motor vehicles 45p per mile
 - Electric or specialised vehicles 45p per mile
 - That there be no change to the subsistence allowances payable up to the maximum amount:
 - Breakfast allowance £6.02
 - Lunch allowance £8.31
 - Evening allowance £10.29
 - That Democratic Services continue to book overnight accommodation, if required.
 - That no change to the list of approved duties be made at this time but the Assistant Director Law and Governance be requested to seeks details from Members of attendance at Parish Council meetings as part of the next review of Members' Allowances for further consideration for potential inclusion in the list of approved duties.
 - That Non-Executive Director Allowances be increased by 2.75%, in line with the agreed staff cost of living pay award, for 2023/2024, rounded up, to give 12 equal payments and that expenses be paid at the same levels set out at (j), (k) and (l) above and costs recharged to the relevant company:
 - Non-Executive Directors Graven Hill Village Holding Company Limited - £4788
- (2) That the Assistant Director Law and Governance be authorised to prepare an amended Members' Allowances Scheme, in accordance with the decisions of Council for implementation with effect from 1 April 2023.
- (3) That the Assistant Director Law and Governance be authorised to take all necessary action to revoke the current (2022/2023) Scheme and to

publicise the revised Scheme pursuant to The Local Authorities (Member's Allowances)(England) Regulations 2003 (as amended).

- (4) That the Independent Remuneration Panel be thanked for its report and set a fee of £300 for each Panel Member for the work carried out on this review and propose the same level of fee for any reviews carried out in 2023/2024 capped at a maximum of £1200 per person, which could be funded from existing budgets.

70 **Budget Setting for 2023/24 and the Medium-Term Financial Strategy up to 2027/28**

Prior to consideration of the item, the Chairman advised that no amendments to the budget had been notified and the item would therefore be debated as published in the agenda. It was convention for the estimates to be taken as one integrated set of financial figures and it was not appropriate to debate the revenue and capital estimates and the Business Plan separately.

The Chairman reminded Members that the arrangements for debating the budget were set out in the meeting procedure rules. The proposer, when presenting the budget, and Group Leaders (or their nominated representative) when responding to the budget may speak for up to 10 minutes. All other speakers had a three minute time limit.

The Assistant Director of Finance (S151 Officer) submitted a report which was the culmination of the Budget and Business Planning process for 2023/24 to 2027/28 and set out the Executive's proposed Business Plan and related revenue budget for 2023/24, medium term financial strategy to 2027/28, capital programme to 2027/28 and all supporting policies, strategies, and information.

The Portfolio Holder for Finance, Councillor Nell, paid tribute to the Assistant Director of Finance and the finance team who had worked hard on the budget process and submitted a balanced budget to Council against a difficult financial backdrop. Councillor Nell also thanked the Budget Planning Committee and Accounts, Audit and Risk Committee for their hard work supporting the budget setting and business plan process.

Having presented the report, Councillor Nell proposed the adoption of the Business Plan and related revenue budget for 2023/24, medium term financial strategy to 2027/28, capital programme to 2027/28 and all supporting policies, strategies and information. Councillor Wood seconded the proposal.

Councillor Hingley, on behalf of the Progressive Oxfordshire Group, addressed Council in response to the budget.

Councillor Woodcock, on behalf of the Labour Group, addressed Council in response to the budget.

Councillor Webster, on behalf of the Independent Group, addressed Council in response to the budget.

A recorded vote was taken, and Members voted as follows:

Councillor Hannah Banfield	Against
Councillor Andrew Beere	Against
Councillor Rebecca Biegel	Against
Councillor Nathan Bignell	For
Councillor Maurice Billington	For
Councillor John Broad	Abstain
Councillor Hugo Brown	For
Councillor Phil Chapman	For
Councillor Mark Cherry	Against
Councillor Patrick Clarke	For
Councillor Ian Corkin	For
Councillor Gemma Coton	Abstain
Councillor Andrew Crichton	Against
Councillor Sandy Dallimore	For
Councillor John Donaldson	For
Councillor Donna Ford	For
Councillor Ian Harwood	For
Councillor David Hingley	Abstain
Councillor Matt Hodgson	Against
Councillor Simon Holland	For
Councillor Nick Mawer	For
Councillor Fiona Mawson	Abstain
Councillor Ian Middleton	Abstain
Councillor Perran Moon	Against
Councillor Adam Nell	For
Councillor Dr Chukwudi Okeke	Against
Councillor Angus Patrick	Abstain
Councillor Lynn Pratt	For
Councillor Chris Pruden	Abstain
Councillor Eddie Reeves	For

Councillor George Reynolds	For
Councillor Dan Sames	For
Councillor Les Sibley	For
Councillor Jason Slaymaker	For
Councillor Katherine Tyson	Abstain
Councillor Dorothy Walker	Abstain
Councillor Amanda Watkins	Against
Councillor Douglas Webb	For
Councillor Fraser Webster	For
Councillor Bryn Williams	For
Councillor Barry Wood	For
Councillor Sean Woodcock	Against

Resolved

- (1) That, having due regard, the statutory report of the Chief Finance Officer (Section 25 report) be noted.
- (2) That the proposed Fees and Charges schedule for 2023/24 (annex to the Minutes as set out in the Minute Book) be approved and it be noted that statutory notices would be placed where required.
- (3) That, having given due consideration, the Equality Impact Assessment of the Budget be noted.
- (4) That a pension fund prepayment for the years 2023/24 – 2025/26 of £5.7m be approved.
- (5) That the Business Plan and Annual Delivery Plan (annexes to the Minutes as set out in the Minute Book) be approved.
- (6) That the net revenue budget for the financial year commencing on 1 April 2023, as set out in annexes to the Minutes (as set out in the Minute Book) be approved.
- (7) That the Medium Term Financial Strategy and Revenue Budget 2023/24, including the Savings Proposals, and Pressures, as set out in annexes to the Minutes (as set out in the Minute Book) be approved.
- (8) That an increase in the Basic Amount of Council Tax for Cherwell District Council for the financial year beginning on 1 April 2023 of £5, resulting in a Band D charge of £148.50 per annum be agreed.
- (9) That, for long term empty properties, an additional Council Tax premium charge of 100 percent for properties empty for two years or

more, 200 percent for properties empty 5 years or more and 300 percent for properties empty 10 years or more be approved.

- (10) That the removal of the 25 percent discount currently available for 12 months to properties that are uninhabitable or undergoing structural repairs be approved.
- (11) That the Capital Bids 2023/24 and Capital Programme 2023/24 – 2027/28 (annexes to the Minutes as set out in the Minute Book) be approved.
- (12) That the Capital and Investment Strategy 2023/24 and revised 2022/23, including the Minimum Revenue Provision (MRP) Policy (annexes to the Minutes as set out in the Minute Book) be approved.
- (13) That the Treasury Management Strategy 2023/24, including the Prudential Indicators, and Affordable Borrowing Limit for 2023/24 (annex to the Minutes as set out in the Minute Book) be approved.
- (14) That a minimum level of General Balances of £6m as supported in the annex to the Minutes (as set out in the Minute Book) be approved.
- (15) That the Reserves Policy (annex to the Minutes as set out in the Minute Book) be approved.
- (16) That the medium-term reserves plan (annex to the Minutes as set out in the Minute Book) be approved.
- (17) That the Pay Policy Statement, as required by the Localism Act 2010, (annex to the Minutes as set out in the Minute Book) be approved.

71 **Adjournment of Council Meeting**

The Leader of the Council, Councillor Wood, confirmed that he did not require Council to adjourn to allow Executive to meet discuss any issues arising from the budget.

72 **Calculating the amounts of Council Tax for 2023/24 and setting the Council Tax for 2023/24**

The Assistant Director of Finance submitted a report to detail the calculations for the amounts of Council Tax for 2023/24 and the setting of Council Tax for 2023/24.

A recorded vote was taken, and Members voted as follows

Councillor Hannah Banfield	Abstain
Councillor Andrew Beere	Against

Council - 27 February 2023

Councillor Rebecca Biegel	Against
Councillor Nathan Bignell	For
Councillor Maurice Billington	For
Councillor John Broad	For
Councillor Hugo Brown	For
Councillor Phil Chapman	For
Councillor Mark Cherry	Against
Councillor Patrick Clarke	For
Councillor Ian Corkin	For
Councillor Gemma Coton	For
Councillor Andrew Crichton	Against
Councillor Sandy Dallimore	For
Councillor John Donaldson	For
Councillor Donna Ford	For
Councillor Ian Harwood	For
Councillor David Hingley	Abstain
Councillor Matt Hodgson	Against
Councillor Simon Holland	For
Councillor Nick Mawer	For
Councillor Fiona Mawson	For
Councillor Ian Middleton	Abstain
Councillor Perran Moon	Against
Councillor Adam Nell	For
Councillor Dr Chukwudi Okeke	Against
Councillor Angus Patrick	For
Councillor Lynn Pratt	For
Councillor Chris Pruden	For
Councillor Eddie Reeves	For
Councillor George Reynolds	For
Councillor Dan Sames	For
Councillor Les Sibley	For
Councillor Jason Slaymaker	For
Councillor Katherine Tyson	For
Councillor Dorothy Walker	For

Councillor Amanda Watkins	Against
Councillor Douglas Webb	For
Councillor Fraser Webster	For
Councillor Bryn Williams	For
Councillor Barry Wood	For
Councillor Sean Woodcock	Against

Resolved

- (1) That it be noted that the Council Tax Base 2023/24 was determined at the Executive meeting held on 9 January 2023:
 - a) for the whole Council area as 58,184.30 [item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (“the 1992 Act”)]; and
 - b) For dwellings in those parts of its area to which a Parish Precept relates as in the attached annex to the Minutes (as set out in the Minute Book).
- (2) That it be agreed that the Council Tax requirement for the Council’s own purposes for 2023/24 (excluding Parish Precepts and Special Expenses) be £8,640,369.
- (3) That the following amounts be calculated for the year 2023/24 in accordance with Sections 31 to 36 of the 1992 Act:
 - a) £131,520,045 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the 1992 Act, taking into account all precepts issued to it by Parish Councils and any additional special expenses.
 - b) £116,837,989 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the 1992 Act.
 - c) £14,682,056 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 1992 Act, as its Council Tax requirement for the year (Item R in the formula in Section 31B of the 1992 Act).
 - d) £252.34 being the amount at 3(c) above (Item R), all divided by Item T (6(a) above), calculated by the Council, in accordance with Section 31B of the 1992 Act, as the basic amount of its Council Tax for the year (including Parish Precepts and Special Expenses).

- e) £6,041,687 being the aggregate amount of all special items (Parish Precepts and Special Expenses) referred to in Section 34(1) of the 1992 Act as per the attached annex to the Minutes (as set out in the Minute Book).
- f) £148.50 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 1992 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 or special item relates.
- (4) That it be noted that for the year 2023/24, Oxfordshire County Council and the Police and Crime Commissioner for Thames Valley have issued precepts to the Council, in accordance with Section 40 of the 1992 Act, for each category of dwellings in the Council's area as indicated below:

Valuation Band	Oxfordshire County Council	Police and Crime Commissioner for Thames Valley
	£	£
A	1,156.02	170.85
B	1,348.69	199.33
C	1,541.36	227.80
D	1,734.03	256.28
E	2,119.37	313.23
F	2,504.71	370.18
G	2,890.05	427.13
H	3,468.06	512.56

- (5) That the Council, in accordance with Sections 30 and 36 of the 1992 Act, hereby sets the amounts shown in the annex to the Minutes (as set out in the Minute Book) as the amounts of Council Tax for the year 2023/24 for each part of its area and for each of the categories of dwellings.
- (6) That the Council has determined that its relevant basic amount of Council Tax for 2023/24 is not excessive in accordance with principles approved under Section 52ZB of the 1992 Act.

LGA Corporate Peer Challenge 2023

The Chief Executive submitted a report to present the findings of and resulting activity in line with the council's Corporate Peer Challenge, which was carried out by the Local Government Association (LGA) in November 2022. The Corporate Peer Challenge had provided a very positive picture of the Council and had recognised the considerable achievement of responding to the covid

pandemic and decoupling its partnership from Oxfordshire County Council, during which service delivery for its residents was always at the centre of its decision making. The recommendations were all in line with current activity and provided a powerful base from which the organisation could move forward as a standalone and ambitious District Council – one that took pride in putting our residents and communities at the heart.

Resolved

- (1) That the Local Government Association Corporate Peer Challenge report (annex to the Minutes as set out in the Minute Book) be endorsed.
- (2) That the Corporate Peer Challenge Action Plan (annex to the Minutes as set out in the Minute Book) be approved.
- (3) That the progress that has already been made towards the Peer Review recommendations, which are set out in the proposed Action Plan, be noted.

74

Updates to Constitution

The Monitoring Officer submitted a report which sought agreement to updates to the Constitution. The Constitution was the document by which, in accordance with the law, the Council exercised all its powers and duties. It was essential that it was reviewed to ensure it remained fit for purpose.

Following the decoupling from Oxfordshire County Council and implementation of the new senior management structure the Scheme of Delegation and Contract Rules of Procedure were identified as a priority for review and amendment and the action to do so was included in the Council's Annual Delivery Plan. There were also committee changes proposed.

Resolved

- (1) That the amendments to the Constitution in relation to the Officer Scheme of Delegation, Contract Procedure Rules, Personnel Committee terms of reference, Appeals Panel terms of reference, Shareholder Committee terms of reference and Accounts, Audit and Risk Committee terms of reference be agreed.
- (2) That authority be delegated to the Monitoring Officer to make the amendments to the Constitution, including a delegation to make textual amendments to address any inconsistencies or correct any cross-referencing errors arising from or as a consequence of the amendments (insofar as the Monitoring Officer does not already have such a delegation).

75

Revisions to the Council's Taxi and Private Hire Licensing Policy

The Assistant Director of Regulatory Services & Community Safety submitted a report which sought approval of revisions to the Council's Taxi and Private Hire Licensing Policy following public consultation.

The Council had a statutory duty to ensure the proper administration of taxi licensing legislation in the district. Taxi services were an important part of the local economy and therefore fulfilling this statutory duty contributed to the Council's priority to ensure the district had an enterprising economy with strong and vibrant local centres. The primary purpose of the licensing regime was to promote public safety and therefore the Council's work to licence taxi drivers, vehicles and operators also supported the commitment to work with partners to reduce crime and antisocial behaviour. Further, the proposed revisions to the licensing policy included measures to reduce the carbon emissions of the taxi fleet in support of the council's commitment to protect the environment and to help achieve net zero targets.

Resolved

- (1) That the work undertaken to prepare a revised and updated Taxi and Private Hire Licensing Policy and the outcomes of the public consultation on that revised policy be noted.
- (2) That the revised Taxi and Private Hire Licensing Policy and supporting appendices (annex to the Minutes as set out in the Minute Book) be approved.

76

Appointment of Independent Persons to Accounts, Audit and Risk Committee

The Monitoring Officer submitted a report to appoint Independent Persons to the Accounts, Audit and Risk Committee.

Resolved

- (1) That the membership of the Accounts, Audit and Risk Committee be amended to include two Independent Persons (non-voting).
- (2) That the appointment of Sarah Thompson as an Independent Person for a four year term expiring on the date of the February Council meeting in 2027 be endorsed and authority delegated to the Monitoring Officer to make the appointment.
- (3) That the appointment of Harry Lawson as an Independent Person for a four year term expiring on the date of the February Council meeting in 2027 be endorsed and authority delegated to the Monitoring Officer to make the appointment.
- (4) That it be noted that the appointment of Independent Persons may be renewable in 2027 for a further term of four years subject to the

Independent Persons wishing to continue in the role and Council agreeing the renewal of the appointment.

77

Motions

The Chairman advised that three motions had been submitted. No amendments to any of the motions had been submitted. In line with the Constitution, no amendments were now permitted.

Motion One: Children's health, wellbeing and access to educational provision

It was proposed by Councillor Reeves and seconded by Councillor Nell that the following motion be adopted.

"This Council notes with concern Oxfordshire County Council's decision to withdraw school bus services under its Spare Seats scheme without parental or wider public consultation.

Oxfordshire's Spare Seats programme has offered children a safe and affordable bus service to school for over 35 years, the scheme having largely been cost-neutral throughout its operation. Under the scheme, families are offered spare seats for their children on school buses taking children eligible for free home-to-school transport at reasonable cost.

Following a decision by Oxfordshire County Council, nearly 10 routes in predominantly rural areas are set to be cancelled from September 2023, with more set to follow as contracts are retendered. This decision will affect the 1-WA17 route serving the Warriner School and the 2-ML05 route to the Marlborough CoE School. Over the medium term, as many as 1,384 students could be affected.

Oxfordshire County Council has defended its decision on the basis that it has no legal obligation to operate the scheme, adding that its continuation:

"would incur a financial cost and reinforces children travelling to schools further away than their nearest school".

This Council strongly disagrees with this reinterpretation of what has been established policy and practice. For clarity, it does so on financial grounds as well as for reasons of personal choice, child safety and environmental protection.

This Council asks the Leader of the Council to write to the Leader and Deputy Leader of Oxfordshire County Council to urge them to reverse their decision as a matter of urgency."

No amendments to the motion having been proposed, the motion was debated as submitted. On being put to the vote the motion was carried with twenty-three votes for, nine against and ten abstentions.

Motion Two: Housing Affordability Mix

It was proposed by Councillor Middleton and seconded by Councillor Banfield that the following motion be adopted:

“Providing truly affordable housing is one of the highest priorities for this council. However, our policies currently mandate that only 30-35% of new housing should be designated affordable.

In contrast we have recently accepted Oxford City council’s affordability ratio of 50% for new housing built in Cherwell to meet their needs. It would seem equitable that we should give the same consideration to Cherwell families and residents who are also in desperate need of affordable housing in the district.

As the Cherwell 2040 Local Plan has now been further delayed and will be subject to revision, we have a timely opportunity to correct this imbalance and include an increase in our own affordability requirement for future housing developments within Cherwell. This will show our commitment to our own residents is as great as it is to those from the city.

This Council requests that the Executive consider including an affordable element of at least 50% within future housing developments and that this be included as a requirement in the emerging Local Plan 2040 along with a clear definition of what affordable housing encompasses.

We also request that the Leader writes to the Secretary of State for Levelling Up, Housing and Communities to request that his department urgently commissions a review of both affordability criteria and guarantees of profit margins which allow developers to adjust affordability ratios based on Gross Development Values and Viability Assessments.”

No amendments to the motion having been proposed, the motion was debated as submitted. On being put to the vote the motion was carried with forty votes for, none against and two abstentions.

Motion Three: London Road Crossing, Bicester

It was proposed by Councillor Pruden and seconded by Councillor Coton that the following motion be adopted.

“The government recommitted in the 2022 Autumn Statement to the delivery of East West Rail (EWR). In 2021, EWR consulted on a series of proposals to address the fact that increased train frequency would, in due course, require the level crossing at London Road, Bicester, to be closed. The Chief Executive of EWR told a meeting of local elected representatives on 13 January that EWR would publish its proposals for the whole line by June.

This Council:

- Strongly supports East West Rail as it will increase opportunities for lower carbon
- travel and support sustainable growth and opportunity;

- Notes that the closure of the London Road would sever the road connection between the south-east of Bicester and the town centre;
- Believes that it must be a priority, working with Oxfordshire County Council and East West Rail, to find a sustainable, funded solution that continues to provide a suitable rail crossing for cars, cycles and pedestrians at or near London Road;
- Recognises that the next four months are critical to ensuring that this solution is adequately funded by EWR and national government, given that the new line is of national importance while the negative impact of closing London Road would fall on the local community in Bicester;
- Resolves to ask the Leader to write to the Chief Executive of East West Rail, stating this Council's support for a new railway crossing at or near London Road that is suitable for cars, cycles and pedestrians."

No amendments to the motion having been proposed, the motion was debated as submitted. On being put to the vote the motion was unanimously agreed.

Resolved

- (1) That the following motion be adopted:

"This Council notes with concern Oxfordshire County Council's decision to withdraw school bus services under its Spare Seats scheme without parental or wider public consultation.

Oxfordshire's Spare Seats programme has offered children a safe and affordable bus service to school for over 35 years, the scheme having largely been cost-neutral throughout its operation. Under the scheme, families are offered spare seats for their children on school buses taking children eligible for free home-to-school transport at reasonable cost.

Following a decision by Oxfordshire County Council, nearly 10 routes in predominantly rural areas are set to be cancelled from September 2023, with more set to follow as contracts are retendered. This decision will affect the 1-WA17 route serving the Warriner School and the 2-ML05 route to the Marlborough CoE School. Over the medium term, as many as 1,384 students could be affected.

Oxfordshire County Council has defended its decision on the basis that it has no legal obligation to operate the scheme, adding that its continuation:

"would incur a financial cost and reinforces children travelling to schools further away than their nearest school".

This Council strongly disagrees with this reinterpretation of what has been established policy and practice. For clarity, it does so on financial grounds as well as for reasons of personal choice, child safety and environmental protection.

This Council asks the Leader of the Council to write to the Leader and Deputy Leader of Oxfordshire County Council to urge them to reverse their decision as a matter of urgency.”

(2) That the following motion be adopted:

“Providing truly affordable housing is one of the highest priorities for this council. However, our policies currently mandate that only 30-35% of new housing should be designated affordable.

In contrast we have recently accepted Oxford City council’s affordability ratio of 50% for new housing built in Cherwell to meet their needs. It would seem equitable that we should give the same consideration to Cherwell families and residents who are also in desperate need of affordable housing in the district.

As the Cherwell 2040 Local Plan has now been further delayed and will be subject to revision, we have a timely opportunity to correct this imbalance and include an increase in our own affordability requirement for future housing developments within Cherwell. This will show our commitment to our own residents is as great as it is to those from the city.

This Council requests that the Executive consider including an affordable element of at least 50% within future housing developments and that this be included as a requirement in the emerging Local Plan 2040 along with a clear definition of what affordable housing encompasses.

We also request that the Leader writes to the Secretary of State for Levelling Up, Housing and Communities to request that his department urgently commissions a review of both affordability criteria and guarantees of profit margins which allow developers to adjust affordability ratios based on Gross Development Values and Viability Assessments.”

(3) That the following motion be adopted:

“The government recommitted in the 2022 Autumn Statement to the delivery of East West Rail (EWR). In 2021, EWR consulted on a series of proposals to address the fact that increased train frequency would, in due course, require the level crossing at London Road, Bicester, to be closed. The Chief Executive of EWR told a meeting of local elected representatives on 13 January that EWR would publish its proposals for the whole line by June.

This Council:

- Strongly supports East West Rail as it will increase opportunities for lower carbon
- travel and support sustainable growth and opportunity;

- Notes that the closure of the London Road would sever the road connection between the south-east of Bicester and the town centre;
- Believes that it must be a priority, working with Oxfordshire County Council and East West Rail, to find a sustainable, funded solution that continues to provide a suitable rail crossing for cars, cycles and pedestrians at or near London Road;
- Recognises that the next four months are critical to ensuring that this solution is adequately funded by EWR and national government, given that the new line is of national importance while the negative impact of closing London Road would fall on the local community in Bicester;
- Resolves to ask the Leader to write to the Chief Executive of East West Rail, stating this Council's support for a new railway crossing at or near London Road that is suitable for cars, cycles and pedestrians."

78

Chairman's Closing of the Meeting

Prior to closing the meeting and having regard to the meeting being the last Full Council meeting prior to the 4 May local elections, the Chairman thanked all Councillors who may not be standing and extended best wishes to all Councillors seeking re-election.

The meeting ended at 10.10 pm

Chairman:

Date: