



Meeting of Council

Monday 19 December 2022

Members of Cherwell District Council,

A meeting of Council will be held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA on Monday 19 December 2022 at 6.30 pm, and you are hereby summoned to attend.

Yvonne Rees
Chief Executive

Friday 9 December
2022

AGENDA

1 Apologies for Absence

2 Declarations of Interest

Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.

3 Communications (Pages 7 - 8)

To receive communications from the Chairman and/or the Leader of the Council.

4 Petitions and Requests to Address the Meeting

The Chair to report on any requests to submit petitions or to address the meeting. The deadline for petitions has passed.

Addresses may be presented by:

- A Local Government elector for the area,
- A person who is wholly or mainly resident in the area,
- A Council Taxpayer or National Non-Domestic Ratepayer for the area

Addresses must be on an item on the Agenda before the meeting and not exceed 5 minutes. No person may address more than one meeting on any particular issue.

Requests to address the meeting (including the reason for the address) should be submitted to democracy@cherwell-dc.gov.uk The deadline for requests to address this meeting is noon on Friday 16 December 2022.

Full details of public participation at meetings is available in the Constitution.

5 Urgent Business

The Chairman to advise whether they have agreed to any item of urgent business being admitted to the agenda.

6 Minutes of Council (Pages 9 - 30)

To confirm as a correct record the Minutes of Council held on 17 October 2022.

7 Minutes

- a) Minutes of Executive, Lead Member Decisions and Executive Decisions not included in the 28 day notice

The Leader of the Council to formally propose that the minutes of the meetings of the Executive and Lead Member Decisions as set out in the Minute Book (circulated separately) be received and to report that since the last meeting of Council held on 17 October 2022 no key decisions have been taken by the Executive which were not included in the 28 day notice.

- b) Minutes of Committees

The Leader of the Council to formally propose that the minutes of committees as set out in the Minute Book (circulated separately) be received.

8 Questions (Pages 31 - 32)

- a) Written Questions

One written question has been submitted with advance notice in accordance with the Constitution. These are attached to the agenda.

Question from:	Question topic:
Councillor Les Sibley	NW Bicester ECO Development

A written response to the questions will be published on the working day before the meeting.

The Member who submitted the written question may ask a supplementary question provided it is relevant to the reply and does not introduce any new matter. The Member to whom the question was addressed may reply to such supplementary question or undertake to reply in writing.

b) Questions to the Leader of the Council

The Chair to invite questions to the Leader of the Council (including any matters arising from the minutes).

Following a response to their question being provided Members will be entitled to a follow up or supplementary question.

c) Questions to Committee Chairmen on the Minutes

The Chair to invite questions to Chairmen of Committees on any matter arising from the minutes of their committee (if any).

Council Business Reports

9 Council Tax Reduction Scheme 2023/24 (Pages 33 - 38)

Report of Assistant Director of Finance

Purpose of report

To enable Council to approve the banded scheme for Council Tax Reduction for the financial year 2023/24.

To note potential changes to Council Tax discounts and reliefs which are currently subject to consultation as part of the Council's budget consultation

Recommendations

The meeting is recommended:

1.1 To note the contents of this report and the financial implications for the Council.

1.2 To approve

- The option of no change to the Council Tax Reduction Income Banded Scheme for Working Age Customers for 2023 -24
- To amend Working Age Regulations in line with annual uprating; and to amend the Council Tax Regulations for pensioners in line with uprating announced by Department for Levelling Up, Housing and Communities.

- 1.3 To approve that the following levels of Council Tax discounts and premiums remain the same as previous years:
 - Retain the discount for second homes at zero
 - Retain the discount for empty homes (unoccupied and substantially unfurnished) at 25% for 6 months and thereafter zero.
 - Retain the empty homes premium of an additional 100% for properties that have remained empty for more than 2 years (total Council Tax payable 200%).
- 1.4 To note that the following Council Tax discounts and premiums are currently proposed to change as part of the Council's 2023/24 budget consultation
 - Introduce an empty homes premium of an additional 200% for properties that have remained empty for more than 5 years (total Council Tax payable 300%)
 - Introduce an empty homes premium of an additional 300% for properties that have remained empty for more than 10 years (total Council Tax payable 400%)
 - Removal of the 25% discount for 12 months (zero thereafter) for dwellings which are vacant and undergoing major repair work to render them habitable.

10 **Amendments to Proportionality Calculations and Committee Membership and Outside Body Representative** (Pages 39 - 46)

Report of Chief Executive

Purpose of report

To note the amendments to the constitution of political groups and amendments to the proportionality calculations and committee membership arising from a change to political Group membership.

Recommendations

The meeting is recommended:

- 1.1 To note the amended constitution of Political Groups.
- 1.2 To note the amended allocation of seats on committees that are subject to the political balance requirements as set out in Table 1.
- 1.3 To note the amendments to committee membership, as advised by the respective Leaders of the Progressive Oxfordshire Group and Labour Group (addendum to report to follow).
- 1.4 To appoint a representative to the Oxfordshire Joint Health Overview and Scrutiny Committee.

11 Motions (Pages 47 - 50)

To debate the following motions which have been submitted with advance notice, in accordance with the Constitution (to be debated in the order submitted).

Topic	Proposer	Secunder
One Planet Living	Councillor Dan Sames	Councillor John Broad
Tenants Charter	Councillor Sean Woodcock	TBC
“Get Home Safely”	Councillor Mark Cherry	Councillor Matt Hodgson
Overview and Scrutiny Committee Chair	Councillor Ian Middleton	Councillor David Hingley
Environmental, Social and Governance (ESG) Investment	Councillor Dorothy Walker	Councillor Angus Patrick

Please note that the deadline to submit motions has passed. The deadline for Members to submit amendments to motions is noon on Thursday 15 December 2022. No amendments will be permitted after this deadline.

Any amendments submitted will be published as a supplement to the agenda on the afternoon of Friday 16 December 2022. Amendments for motions will be dealt with in the order submitted.

For information

Please note:

Members are advised that written questions and motions for the next scheduled Council meeting on Monday 27 February 2023 must be submitted to the Assistant Director Law and Governance & Monitoring Officer, democracy@cherwell-dc.gov.uk, by noon on Wednesday 15 February 2023.

Councillors are requested to collect any post from their pigeon hole in the Members Room at the end of the meeting.

Information about this Agenda

Apologies for Absence

Apologies for absence should be notified to democracy@cherwell-dc.gov.uk or 01295 221534 prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item.

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Evacuation Procedure

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the car park as directed by Democratic Services staff and await further instructions.

Access to Meetings

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

Queries Regarding this Agenda

Please contact Natasha Clark, Democratic and Elections democracy@cherwell-dc.gov.uk, 01295 221534

CHAIRMAN'S ATTENDANCE

18 October 2022 – 19 December 2022

19 October

The Chairman, together with the Mayor of Banbury, accompanied Mr Wilson the owner of Banbury Fair, at the opening ceremony of the Fair. As is tradition, the Golden Key was pointed at various rides enabling local children to have free goes.

27 October

The Chairman and his wife attended the Lord-Lieutenant's Awards Ceremony at the invitation of Her Majesty's Lord-Lieutenant and the County Chairman for SERFCA (South East Reserves Forces' and Cadets' Association). The event was held at Pembroke College in Oxford.

The Lord-Lieutenant's Awards Ceremony is an opportunity to recognise individuals who demonstrate the volunteer ethos and to build and nurture the enduring relationships that are so important to the County and local community. This is done through the awarding of Medals and Her Majesty Lord-Lieutenant's Certificates for Meritorious Service, amongst other awards. Her Majesty Lord-Lieutenant's Certificates for Meritorious Service were instituted in order to afford public recognition to those members of the Reserve and Cadet Forces whose efforts are not recognised by the twice-yearly Honours Lists. The Lord-Lieutenant's Certificate thus ranks second to the Queen's Honours Lists.

Each year, the Lord-Lieutenant also appoints a number of cadets from the Combined Cadet Force and each of the community Cadet forces to support them on official engagements during the year that they are appointed. The appointment marks the achievement of outstanding service by an individual to their Cadet movement. A Certificate is awarded, together with a Lord-Lieutenant's Badge which the individual is entitled to wear when in uniform.

28 October

At the invitation of the League of Friends of Bicester Hospital, the Chairman officially opened their Autumn Coffee Morning which was held at the Littlebury Hotel in Bicester.

29 October

At the invitation of the Commander 501st Combat Support Wing, the Chairman and his wife attended a ball at Sywell Aerodrome in Northamptonshire to mark the Occasion of the 75th Birthday of the United States Air Force.

The Guest Speaker was Flt Lt (Ret'd) Colin S. Bell Distinguished Flying Cross recipient. The 101yr old was an original "Pathfinder" and served in WW2 on operations as a Mosquito Bomber Pilot, carrying out over 50 bombing raids.

*Details correct at time of printing.

13 November

On Remembrance Sunday, at the invitation of the Royal British Legion, wreaths were laid on behalf of Cherwell District Council at several venues in the district. The Chairman and Vice Chairman attended services and parades in Bicester. Other Members attended services/parades and laid wreaths in Banbury, Kidlington and Bodicote.

17 November

The Chairman chaired a virtual Parish Liaison Meeting attended by representatives from numerous parishes within the district.

19 November

The Chairman hosted his Charity Dinner at The Heyford, Oxfordshire. The event was held to raise funds for Alexandra House of Joy (the Chairman's chosen charity for this year) and was a big success. It was a 'sell-out' event, attended by 70 people. The Chairman would like to thank those Members who attended and those who made donations. We will report on how much was raised at a later date.

10 December

At the invitation of Officers from RAF Croughton, London Annex, the Chairman and his wife attended a Christmas Dinner event at the Chesterton Hotel in Bicester.

18 December *

An invitation was received from the Lord Mayor of Oxford to attend a Christmas Carol Concert at Oxford Town Hall in aid of Aspire, Asylum Welcome and Emmaus Oxford.

Cherwell District Council

Council

Minutes of a meeting of the Council held at Bodicote House, Bodicote, Banbury, Oxon OX15 4AA, on 17 October 2022 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 John Broad
Councillor Hugo Brown
Councillor Phil Chapman
Councillor Mark Cherry
Councillor Colin Clarke
Councillor Patrick Clarke
Councillor Ian Corkin
Councillor Gemma Coton
Councillor Nick Cotter
Councillor Andrew Crichton
Councillor Sandy Dallimore
Councillor Donna Ford
Councillor Ian Harwood
Councillor David Hingley
Councillor Matt Hodgson
Councillor Simon Holland
Councillor Kieron Mallon
Councillor Nicholas Mawer
Councillor Fiona Mawson
Councillor Ian Middleton
Councillor Perran Moon
Councillor Richard Mould
Councillor Adam Nell
Councillor Dr Chukwudi Okeke
Councillor Angus Patrick
Councillor Lynn Pratt
Councillor Chris Pruden
Councillor George Reynolds
Councillor Katherine Tyson
Councillor Dorothy Walker
Councillor Amanda Watkins
Councillor Douglas Webb
Councillor Fraser Webster
Councillor Bryn Williams
Councillor Barry Wood
Councillor Sean Woodcock

Present virtually (no voting rights):

Councillor Dan Sames

Apologies for absence:

Councillor Maurice Billington

Councillor Mike Bishop

Councillor Jean Conway

Councillor John Donaldson

Councillor Eddie Reeves

Officers:

Ian Boll, Corporate Director Communities

Michael Furness, Assistant Director Finance & S151 Officer

Shiraz Sheikh, Assistant Director Law, Governance & Democratic Services/Monitoring Officer

Shahin Ismail, Interim Head of Legal Services & Deputy Monitoring Officer

Andrew Low, Assistant Director Property Interim

Natasha Clark, Governance and Elections Manager

32 **Welcome**

The Chairman welcomed Members, officers and guests to the meeting.

On behalf of Council, the Chairman welcomed Shiraz Sheikh, Assistant Director Law and Governance to his first Full Council meeting.

The Chairman advised that Councillor Sames was joining the meeting virtually and could speak on items but had no voting rights or rights to propose or second items.

33 **Declarations of Interest**

16. Bicester Depot.

Councillor Ian Corkin, Declaration, as set out in the exempt minutes.

18. Motions.

Councillor Katherine Tyson, Declaration, in the motion "Water Sewage Transparency" due to her employment and would therefore not participate in the debate or vote on the motion.

Communications

Former Councillor Markham

The Chairman referred to the sad passing of former Councillor David Markham on 15 July 2022.

Former Councillor Markham had represented the Ambrosden ward from 1992 to 2002, standing down at the 2002 elections. Former Councillor Markham served on many committees, notably Development and South Area Planning Committee.

On behalf of Council, the Chairman extended condolences to Former Councillor Markham's family and friends.

Council observed a minutes silence in honour of former Councillor Markham.

Chairman's Engagements

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

Chairman's Charity Dinner

The Chairman reminded Members that they had received information about my Charity Dinner on Saturday 19 November. The event will be raising funds for Alexandra House of Joy, which is the charity he was supporting during my term as Chairman.

Members were asked to RSVP to the Chairman's PA if they wished to attend.

Meeting Length

Due to the length of the agenda, out of courtesy to other Members, the Chairman asked Members to remain in your 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.

Petitions and Requests to Address the Meeting

The Chairman advised there were no petitions.

There was one request to address the meeting. The request was from Parish Councillor Caroline Elmitt on behalf of Bodicote Parish Council, on agenda item 9, "Community Governance Review (CGR) – results of second consultation stage and final recommendations", in relation to the recommendations of the working group's report regarding the boundary change between Banbury and Bodicote.

The Chairman advised Council he would invite Parish Councillor Elmitt to address the meeting at the start of agenda item 9.

36 **Urgent Business**

There were no items of urgent business.

37 **Minutes of Council**

The minutes of the meeting held on 17 October 2022 were agreed as a correct record and signed by the Chairman.

38 **Minutes**

a) **Minutes of the Executive, Lead Member Decisions and Executive Decisions made under Special Urgency**

Resolved

That the minutes of the meeting of the Executive and Portfolio Holder decisions as set out in the Minute Book be received and that it be noted that since the last meeting of Council held on 18 July 2022 one decision has been taken by the Executive which was not included in the 28 day notice, relating to Responding to the Cost of Living Crisis.

b) **Minutes of Committees**

Resolved

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

39 **Questions**

a) **Written Questions**

The Chairman advised Council that one 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. A response to the question had been published as a supplement to the agenda (and are an annex to the Minutes as set out in the Minute Book).

The question was from Councillor Middleton and was in relation to Lord Harrington's visit to Cherwell District Council.

By way of a supplementary question, Councillor Middleton requested that a written report to all Members regarding what had been discussed with the

The Leader responded to the supplementary question advising he had nothing to add to the comprehensive written response.

b) Questions to the Leader of the Council

Questions were asked and answers received on the following issues:

Councillor Dr Okeke: Banbury canal path

Councillor Hodgson: Malt House Way

Councillor Middleton: Letter to Secretary of State for Levelling Up, Housing and Communities regarding the cost of living emergency

Councillor Cotter: Investment zones

Councillor Middleton: Council commercial investments

c) Questions to Committee Chairmen on the Minutes

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

40 **Community Governance Review (CGR) - results of second consultation stage and final recommendations**

The Chief Executive submitted a report to update Council on the outcome of the Community Governance Review (CGR) stage two consultation that was held between 4 July and 23 September 2022; to delegate authority to the Monitoring Officer to complete the required legal order; to update Members on the upcoming Oxfordshire County boundary review being carried out by the Local Government Boundary Commission for England, and the ongoing Parliamentary Boundary Review.

Prior to Council debating the report, Parish Councillor Caroline Elmitt on behalf of Bodicote Parish Council, addressed Council in relation to the recommendation 1.3 of the working group's report regarding the boundary change between Banbury and Bodicote.

In introducing the report and proposing the recommendations, Councillor Mallon, Chairman of the CGR Working Group, proposed that a separate vote be taken on recommendation 1.3. This was duly seconded by Councillor Beere, Vice-Chairman of the CGR Working Group.

At the discretion of the Chairman, the Interim Monitoring Officer addressed Council and reminded Council that this was a quasi-judicial decision, gave advice on decision making and advised that in reaching their decision, Members should give consideration to the most effective and convenient governance for each area of the review.

In the course of the debate, it was proposed by Councillor Hingley and seconded by Councillor Middleton that a recorded vote be taken on recommendation 1.3.

Council voted on all recommendations excluding recommendation 1.3 en bloc. A recorded vote having been proposed and seconded, a recorded vote was duly taken on recommendation 1.3 and Members voted as follows.

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

Councillor Jason Slaymaker	For
Councillor Katherine Tyson	Against
Councillor Dorothy Walker	Against
Councillor Amanda Watkins	For
Councillor Douglas Webb	For
Councillor Fraser Webster	For
Councillor Bryn Williams	For
Councillor Barry Wood	For
Councillor Sean Woodcock	For

The vote on recommendation 1.3 was carried.

Resolved

- (1) That a change in the boundary between Ambrosden and Blackthorn for area A, as shown by the dotted black line on map 1 (Annex to the Minutes as set out in the Minute Book) be approved.
- (2) That a change in the next ordinary year of elections for Ambrosden and Blackthorn parish councils, bringing them forward to 2023, be approved.
- (3) That a change in the boundary between Bodicote and Banbury for area F1, as shown by the dotted black line on map 2 (Annex to the Minutes as set out in the Minute Book), to take effect in May 2024, be approved.
- (4) That it be agreed that Merlin Close remain in Bodicote.
- (5) That a change in the boundary between Bodicote and Banbury for area F, as shown by the dotted black line in the inset box on map 3 (Annex to the Minutes as set out in the Minute Book), to take effect in May 2024, be approved.
- (6) That a change in the boundary between Bodicote and Banbury for area E, as shown by the dotted black line on map 3 (Annex to the Minutes as set out in the Minute Book), to take effect in May 2024, be approved.
- (7) That a change in the boundary between Drayton and Banbury for area D, as shown by the dotted black line on map 4 (Annex to the Minutes as set out in the Minute Book), to take effect in May 2024, be approved.
- (8) That a change in the boundary between Drayton and Banbury for area C, as shown by the dotted black line on map 4 (Annex to the Minutes

as set out in the Minute Book), to take effect in May 2024, be approved.

- (9) That an increase in the number of Banbury Town Councillors by one, to be allocated to the Hardwick West Town Ward, to take effect in May 2024, be approved.
- (10) That it be agreed that a Banbury-only Community Governance Review take place after the Oxfordshire County Council boundary review has concluded and in advance of the 2028 local elections.
- (11) That a change in the boundary between Bicester, Ambrosden, Blackthorn and Launton for area L, as shown by the dotted black lines on map 5 (Annex to the Minutes as set out in the Minute Book), to take effect in May 2023 be approved.
- (12) That a change in the next ordinary year of election for Launton Parish Council, bringing them forward to May 2023 be approved.
- (13) That a change in the boundary between Chesterton and Bucknell for areas G and H, as shown by the dotted black lines on map 6 (Annex to the Minutes as set out in the Minute Book), to take effect in May 2023, be approved.
- (14) That a change in the boundary between Bicester and Bucknell for area I, as shown by the dotted black lines on map 6 (Annex to the Minutes as set out in the Minute Book), to take effect in May 2023, be approved.
- (15) That a change in the boundary between Hanwell and Horley for area O, as shown by the dotted black line on map 7 (Annex to the Minutes as set out in the Minute Book) be approved.
- (16) That a change in the boundary between Horley and Wroxton for area N, as shown by the dotted black line on map 7 (Annex to the Minutes as set out in the Minute Book) be approved.
- (17) That an increase of one parish councillor for Begbroke Parish Council, increasing from six to seven, taking effect in May 2023, be approved.
- (18) That an increase of two parish councillors for Chesterton Parish Council, increasing from seven to nine, taking effect in May 2023, be approved.
- (19) That an increase of one parish councillor for Somerton Parish Council, increasing from five to six, taking effect in May 2023, be approved.
- (20) That authority be delegated to the Monitoring Officer, in consultation with the Working Group, to prepare and finalise the required Reorganisation Order to implement approved recommendations.

- (21) That an extension of the Terms of Reference of the Working Group to cover the Oxfordshire County Council boundary review be approved, and authority delegated to the Chief Executive, in consultation with the Working Group, to consider and draft a response to the LGBCCE consultations at the relevant times.
- (22) That the update on the Parliamentary Boundary Review be noted.

41

Review of Allocation of Seats to Political Groups

The Chief Executive submitted a report to review the allocation of seats to political groups in light of the disbanding of the Joint Shared Services and Personnel (JSSP) Committee and Joint Appeals Panel and to adopt the Minutes of the final meeting of the JSSP Committee.

Resolved

- (1) That the revised allocation of seats on committees that are subject to the political balance requirements as set out in Annex to the Minutes (as set out in the Minute Book) be agreed.
- (2) That the following changes to committee membership in accordance with the nominations made by political Group Leaders be noted:

- **Conservative Group**

- **Planning Committee**

- Add – Councillor Bryn Williams (permanent Committee member)

- Add – Councillor Phil Chapman (named substitute - additional)

- Add – Councillor Sandy Dallimore (named substitute to replace Councillor Williams who is now a permanent member)

- **Progressive Oxfordshire Group**

- **Licensing Committee**

- Remove – Councillor Angus Patrick

- **Labour Group**

- **Planning Committee**

- Remove – Councillor Sean Woodcock (permanent Committee member)

- Remove – Councillor Andrew Crichton (named substitute)

- **Licensing Committee**

- Add – Councillor Sean Woodcock

- (3) That the minutes of the meeting of the Joint Shared Services and Personnel Committee held on 4 July 2022 be adopted.

42 **Calendar of Meetings 2023/2024**

The Assistant Director Law, Governance and Democratic Services & Monitoring Officer (Interim) submitted a report for Council is to consider and agree the proposed calendar of meetings for the municipal year 2023/2024.

Resolved

- (1) That the calendar of meetings for Cherwell District Council for the municipal year 2023/2024 be approved.

43 **Changes to Personnel Committee Terms of Reference**

The Interim Monitoring Officer which sought changes to the Terms of Reference of Personnel Committee, to make it possible for that Committee to determine formal applications by senior officers to consider changes to their terms and conditions of employment.

The Council had a suite of employment law policies which give employees the opportunity to work flexibly or seek other changes to their terms and conditions. A recent introduction was a Flexible Retirement Policy, which had been considered and agreed by Personnel Committee at their 17 October 2022 meeting.

Resolved

- (1) That additional wording to the Personnel Committee's Terms of Reference, to add *'To determine formal applications by the Head of Paid Service, s151 Officer, Monitoring Officer and Corporate Directors for changes to their terms and conditions of employment, including flexible retirement requests'* be approved.
- (2) That it be noted that such applications by officers at Assistant Director grade and below would be determined by officers at the appropriate management level.

44 **Appointment of Monitoring Officer**

The Chief Executive submitted a report for Council to appoint a Monitoring Officer following recruitment to the post of Assistant Director Law, Governance and Democratic Services.

Resolved

- (1) That Shiraz Sheikh be appointed as the Council's Monitoring Officer with effect from 18 October 2022.

Following his appointment, Shiraz Sheikh addressed Council, thanked Members for his appointment and commented that he was looking forward to working with them.

45 **Notification of Urgent Action - Appointment of Data Protection Officer**

The Chief Executive submitted a report to inform Council of a decision she had taken under urgency powers in relation to the appointment of a Data Protection Officer.

Resolved

- (1) That the urgent decision taken by the Chief Executive in relation to the appointment of a Data Protection Officer be noted.

46 **Exclusion of the Press and Public**

Resolved

That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

47 **Bicester Depot**

The Corporate Director Resources submitted an exempt report in relation to Bicester Depot.

Resolved

- (1) As set out in the exempt minutes.
- (2) As set out in the exempt minutes.
- (3) As set out in the exempt minutes.
- (4) As set out in the exempt minutes.
- (5) As set out in the exempt minutes.

48 **Readmittance of the Press and Public**

Resolved

That the press and public be readmitted to the meeting.

49

Motions

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

One Planet Living

As Councillor Sames was attending Council virtually, it was proposed by Councillor Wood and seconded by Councillor Broad that consideration of the motion be deferred to the 19 December 2022 Council meeting. Members agreed to the deferment.

Fracking

It was proposed by Councillor Hodgson and seconded by Councillor Watkins that the following motion be adopted:

“Fracking involves injecting water, sand and other substances into subterranean rocks to extract the gas that is trapped between them. It has caused water pollution in the US, earthquakes there and in the UK, massively pollutes the environment and water table and contributes to greenhouse gases when burnt.

We've already seen earthquakes in Lancashire, and Quadrilla were forced to pause fracking there in 2018 after the British Geological Survey showed that there had been 17 earthquakes in 9 days.

Fracking was banned in 2019 by the Conservative government amid these concerns. These concerns have not gone away.

We now have a Prime Minister who believes fracking is fine again and has reversed that decision. Inexplicably so when investment in renewals is both more cost effective and much better for the environment. It is inexplicable that the government should be considering such environmental and climatic destruction when we are facing a climate catastrophe.

Liz Truss has said developers will be given permission "where there is local support". Various sites across the country have been identified as possibilities, some are in Cherwell. As this Council declared a climate emergency in 2019, and published the Climate Action Framework in 2020, which includes statements on moving towards net-zero carbon by 2030, we, as a council, need unite behind that and be seen to be standing by it. We, the Labour Group, I know, are united on this and we call upon this Council to declare the District of Cherwell a NO FRACKING ZONE.”

No amendments to the motion having been proposed, the motion was debated as submitted. In the course of the debate, it was proposed by Councillor Woodcock that a recorded vote be taken, which was duly seconded

by Councillor Moon. Having been proposed and seconded, a recorded vote was duly taken and Members voted as follows:

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

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

The motion was unanimously agreed.

Investment Zones

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

“The government’s recent ‘mini-budget’ included plans for ‘investment zones’ within which the Chancellor said the Government would “get out of the way to get Britain building”.

The planning process for developers will be shortened and liberalised in these zones providing a more streamlined path towards planning consent. There are also plans to limit the ability for planning decisions to be overturned by the courts.

The government has also published plans for a ‘sunset clause’ on environmental protections introduced when the UK was in the EU. Environmental regulations such as Habitat Regulation Assessments will be scrapped in these zones, with no clarity as to how they will be replaced. This has been described as “an attack on nature” by the RSPB.

In addition, reports have suggested that the planned Environmental Land Management Scheme is to be scrapped. This would have paid farmers to improve nature on their land. There is now uncertainty that payment-by acre will be linked to any environmental measures.

Whilst Cherwell is not included in the initial list of ‘Investment Zones’ there will be an opportunity for all councils to express an interest in becoming one in the future.

This council therefore pledges that :

1. We do not support the ‘Investment Zone’ proposals and have no interest in becoming part of this scheme.
2. Environmental protection in Cherwell will be maintained at current or better levels regardless of any loosening of regulations
3. Local democracy will be upheld and respected in the planning process”

No amendments to the motion having been proposed, the motion was debated as submitted. In summing up, Councillor Middleton requested that a recorded vote be taken, which was duly seconded by Councillor Broad. Having been proposed and seconded, a recorded vote was duly taken and Members voted as follows:

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

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

The vote was lost and the motion therefore fell.

Water Sewage Transparency

It was proposed by Councillor Cotter and seconded by Councillor Mawson that the following motion be adopted.

“Earlier this year Thames Water welcomed Oxfordshire’s first regional river designated as bathing water in Port Meadow’s Wolvercote Mill Stream. It’s important that this success is built on by Cherwell District council to protect our waterways from natural and man-made pollution.

Only 14% of the UK’s waterways are in a good ecological condition, with water companies across the UK having discharged raw sewage into waterways 400,000 times in 2020 – more than 3 million hours of discharge.

In compliance with our climate change emergency motion, this Council has a duty to protect our natural environment. The government has so far failed to hold the water companies to account, so this council should work with Thames Water to increase transparency and minimise discharges into Cherwell’s waterways.

This Council therefore will :

1. Seek to establish a local strategy that puts sewage treatment at the heart of its local plan
2. Ensure that an evidence base is compiled that assesses the cumulative impact of sewage discharges so that this is factored into decisions made within the local plan.
3. Seek to better understand the cumulative impact of wastewater discharge including untreated sewage into our local rivers on wildlife and residents

4. From 2023, request that Thames Water clarifies which treatment works will be managing sewage from new developments and the likely impact on the number of sewage discharges into watercourses
5. Requests that planning officers include a specific section on the impact on watercourses in all relevant reports relating to major developments”

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.

Climate and Ecology

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

“In 2019 this council recognised the importance of tackling impending ecological collapse by passing a climate emergency motion. We have also recently adopted the policy of One Planet Living.

The CLIMATE AND ECOLOGY BILL is a plan for a new UK law that addresses the full extent of the climate and nature crisis in line with the most up-to-date science.

The Bill is the only proposed legislation before Parliament that ensures a comprehensive and joined-up approach to the climate emergency. It was written by scientists, experts and campaigners and seeks to ensure that the UK plays its fair and proper role in limiting global temperatures to 1.5°C and has the cross-party backing of 150 parliamentarians.

It calls for urgent action from the Government to take into account our entire global carbon footprint by:

- Tackling the climate and nature crises together
- Doing our fair share to cut UK emissions to stay below 1.5°C of global warming
- Halting and reversing UK biodiversity loss by 2030
- Taking responsibility for the entirety of our global carbon and ecological footprints

To reinforce our commitment to tackling climate change, this council will show support for the CLIMATE AND ECOLOGY BILL by:

1. Taking into account the goals of The Bill when setting its own strategies, policies and targets.
2. Encouraging councillors to join the Zero Hour Campaign at www.zerohour.uk
3. Calling on all Oxfordshire MPs to support the CLIMATE AND ECOLOGY BILL when it is debated in Parliament”

No amendments to the motion having been proposed, the motion was debated as submitted. On being put to the vote the motion was lost and therefore fell.

Resolved

(1) That consideration of the motion "One Planet Living" be deferred to the 19 December 2022 Council meeting.

(2) That the following motion be adopted:

"Fracking involves injecting water, sand and other substances into subterranean rocks to extract the gas that is trapped between them. It has caused water pollution in the US, earthquakes there and in the UK, massively pollutes the environment and water table and contributes to greenhouse gases when burnt.

We've already seen earthquakes in Lancashire, and Quadrilla were forced to pause fracking there in 2018 after the British Geological Survey showed that there had been 17 earthquakes in 9 days.

Fracking was banned in 2019 by the Conservative government amid these concerns. These concerns have not gone away.

We now have a Prime Minister who believes fracking is fine again and has reversed that decision. Inexplicably so when investment in renewals is both more cost effective and much better for the environment. It is inexplicable that the government should be considering such environmental and climatic destruction when we are facing a climate catastrophe.

Liz Truss has said developers will be given permission "where there is local support". Various sites across the country have been identified as possibilities, some are in Cherwell. As this Council declared a climate emergency in 2019, and published the Climate Action Framework in 2020, which includes statements on moving towards net-zero carbon by 2030, we, as a council, need unite behind that and be seen to be standing by it. We, the Labour Group, I know, are united on this and we call upon this Council to declare the District of Cherwell a NO FRACKING ZONE."

(3) That the following motion be adopted:

"Earlier this year Thames Water welcomed Oxfordshire's first regional river designated as bathing water in Port Meadow's Wolvercote Mill Stream. It's important that this success is built on by Cherwell District council to protect our waterways from natural and man-made pollution.

Only 14% of the UK's waterways are in a good ecological condition, with water companies across the UK having discharged raw sewage

into waterways 400,000 times in 2020 – more than 3 million hours of discharge.

In compliance with our climate change emergency motion, this Council has a duty to protect our natural environment. The government has so far failed to hold the water companies to account, so this council should work with Thames Water to increase transparency and minimise discharges into Cherwell's waterways.

This Council therefore will :

1. Seek to establish a local strategy that puts sewage treatment at the heart of its local plan
2. Ensure that an evidence base is compiled that assesses the cumulative impact of sewage discharges so that this is factored into decisions made within the local plan.
3. Seek to better understand the cumulative impact of wastewater discharge including untreated sewage into our local rivers on wildlife and residents
4. From 2023, request that Thames Water clarifies which treatment works will be managing sewage from new developments and the likely impact on the number of sewage discharges into watercourses
5. Requests that planning officers include a specific section on the impact on watercourses in all relevant reports relating to major developments”

The meeting ended at 10.20 pm

Chairman:

Date:

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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Council

Monday 19 December 2022

Agenda Item 8 (a), Written Questions

Question From: Councillor Les Sibley

Question To: Leader of the Council, Councillor Barry Wood

Topic: NW Bicester ECO Development

Question

“The Leader will be aware that several planning applications for the NW Bicester ECO Development have been, or are about to be submitted to Cherwell District Council.

Can the Leader say, if he expects these planning applications to be in line with the North West Bicester Masterplan, in particular, the realignment of the A4095 Howes Lane?”

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Cherwell District Council

Council

19 December 2022

Council Tax Reduction Scheme 2023/24

Report of Assistant Director of Finance

This report is public

Purpose of report

To enable Council to approve the banded scheme for Council Tax Reduction for the financial year 2023/24.

To note potential changes to Council Tax discounts and reliefs which are currently subject to consultation as part of the Council's budget consultation

1.0 Recommendations

The meeting is recommended:

- 1.1 To note the contents of this report and the financial implications for the Council.
- 1.2 To approve
 - The option of no change to the Council Tax Reduction Income Banded Scheme for Working Age Customers for 2023 -24
 - To amend Working Age Regulations in line with annual uprating; and to amend the Council Tax Regulations for pensioners in line with uprating announced by Department for Levelling Up, Housing and Communities.
- 1.3 to approve that the following levels of Council Tax discounts and premiums remain the same as previous years:
 - Retain the discount for second homes at zero
 - Retain the discount for empty homes (unoccupied and substantially unfurnished) at 25% for 6 months and thereafter zero.
 - Retain the empty homes premium of an additional 100% for properties that have remained empty for more than 2 years (total Council Tax payable 200%).

- 1.4 To note that the following Council Tax discounts and premiums are currently proposed to change as part of the Council's 2023/24 budget consultation
- Introduce an empty homes premium of an additional 200% for properties that have remained empty for more than 5 years (total Council Tax payable 300%)
 - Introduce an empty homes premium of an additional 300% for properties that have remained empty for more than 10 years (total Council Tax payable 400%)
 - Removal of the 25% discount for 12 months (zero thereafter) for dwellings which are vacant and undergoing major repair work to render them habitable.

2.0 Introduction

- 2.1 The Council Tax Reduction caseload has been monitored and there has been a reduction in the number of live cases from 6,743 in June 2021 to 6,292 in June 2022. This decrease in caseload comes after the Covid-19 crisis which saw a sharp increase in the number of new applications during the first lockdown and the subsequent reduction can be attributed to people returning to work.
- 2.2 The in-year Council Tax collection rate for the 2020/21 financial year was 97.46% compared to 98.07% in 2021/22 which is the highest rate across the Oxfordshire authorities. In considering the Council Tax Reduction Scheme for 2023/24 members should be mindful that any changes to the scheme that reduce entitlement to CTRS could have an adverse impact on collection rates.

3.0 Report Details

Council Tax Reduction

- 3.1 Since the introduction of the Council Tax Reduction Scheme (CTRS) the benefits landscape has drastically changed. Universal Credit is based on real time information which means that any change in income generates a change in Council Tax Reduction through data files received directly from the Department for Work and Pensions. Residents were therefore, receiving multiple bills and letters during the year making the process a poor user experience and making budgeting for individuals very difficult.
- 3.2 In December 2019 the Council agreed to move to an income banded scheme for customers that were of working age. The scheme assesses the maximum level of Council Tax Reduction based on the net income of the applicant and household members. The main principles of the scheme are as follows:
- If the applicant or partner is in receipt of one of the main passported benefits (Income Support, Job Seeker's Allowance, Income Based and Income Related Employment and Support Allowance or receiving War Widows or War Disablement Pensions) they will automatically be placed in the highest band of the scheme and will receive 100% support

- Working age households will receive a discount, depending on their level of income and the band that they fall into.
- Under this scheme, as part of our ongoing commitment to support disabled people, we will continue to disregard Disability Living Allowance, Personal Independence Payments, War Disablement Benefits and will also continue to disregard Child Benefit and Child Maintenance.
- As highlighted earlier in this report the introduction of Universal Credit and Real Time Information files means that customers can experience frequent changes in their Council Tax Reduction which in turn impacts on the amount of Council Tax payable. This makes budgeting for households more of a challenge and is impacting on our ability to collect Council Tax. The banded scheme is simpler for residents to understand and any future changes to the value of awards can be achieved by simply adjusting the banding thresholds.
- Residents experience less change in their Council Tax Reduction and the scheme reduces the number of letters and Council Tax demands issued. The Council has seen a 27% reduction in printed mail and dispatch when comparing the first quarter of 2019 the first quarter of 2022.

3.3 The current scheme was introduced from April 2020 following a period of consultation and engagement. In general, it has been well received with limited contact from customers affected by the change.

3.4 There is a requirement to consult with the public, major preceptors and other parties who may have an interest in the Council Tax Reduction Scheme on any material changes to the scheme. If members would like to consider a change to the current banded scheme, then a full consultation will need to be undertaken.

3.4 Any amendments proposed to the scheme (other than uprating thresholds for inflation) would require significant consultation to take place. If any changes were made to the scheme it is unlikely to generate significant additional resources to the Council.

Council Tax discounts and premiums

3.5 The Local Government Finance Act 2012 also abolished certain exemptions with effect from 1 April 2013 and replaced them with discounts which can be determined locally

3.6 Council determined that furnished chargeable dwellings that are not the sole or main residence of an individual (i.e. second homes) should not receive a discount. At the time of writing this report there were 588 properties in this category

3.7 Council also determined that the discount in respect of unoccupied and substantially unfurnished properties should be reduced to 25% for a period of six months and thereafter to zero. At the time of writing this report there were 498 in this category.

3.8 Prior to 1 April 2013 billing authorities could charge up to a maximum of 100% council tax on dwellings that have been empty for more than two years. From April

2013 local authorities were given the powers to charge a premium of up to 50% of the council tax payable.

New legislation was introduced in April 2020 which allows for 100% premium (total Council Tax payable of 200%) to be charged on properties that have been empty and unfurnished for over two years. The Council has previously adopted this premium.

- 3.9 In addition to this, legislation is now in place such that from
- 1 April 2020 properties empty for a period in excess of 5 years can be charged Council Tax at 300% of the full charge (100% Council Tax charge plus 200% premium)
 - 1 April 2021 properties empty for a period in excess of 10 years can be charged Council Tax at 400% of the full charge (100% Council Tax charge plus 300% premium)
- 3.10 The Council is currently consulting on increasing the Empty Homes premium to the maximum allowable in order to further incentivise empty properties to be brought back into use.
- 3.11 The Council also has the ability to adjust the discount applied to homes which are vacant uninhabitable and/or undergoing major repair work to render them habitable. The current discount is applied at a rate of 25% for 12 months and zero thereafter. The Council is currently consulting on reducing the discount to zero in all years.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The current scheme is understood by customers and has enabled them to budget for their council tax payments. One of the main advantages of the banded scheme is that it reduces the number of changes that the customer will experience enabling more effective personal budgeting.
- 4.2 There is still a lot of financial uncertainty for many customers and in the current financial climate with the ongoing cost of living crisis it is therefore recommended that the existing scheme should be retained for 2023/24

5.0 Consultation

Budget Planning Committee considered the Council Tax Reduction Scheme 2023 24 at its meeting on 26 July 2022 and recommended that the scheme remain unchanged for 2023/24

Executive considered the Council Tax Reduction Scheme 2023 24 at its meeting on 5 December 2022 and, having regard to the Budget Planning Committee recommendation, recommends to Council that the scheme remain unchanged for 2023/24

6.0 Alternative Options and Reasons for Rejection

- 6.1 The alternative option is to undertake a review of the current CTRS but paragraph 4.1 and 4.2 explains the rationale for not taking this course of action.

7.0 Implications

Financial and Resource Implications

- 7.1 The MTFS has assumed the current scheme will be retained. Any changes to the existing caseload will be accommodated as part of the budget process.

Comments checked by:

Michael Furness Assistant Director of Finance

Michael.furness@cherwell-dc.gov.uk

Legal Implications

- 7.2 The Council is required to review its Council Tax Reduction Scheme on an annual basis and if it determines to make changes then it must consult on the revised scheme. Failure to do so would adversely affect the reputation of the Council and would have a financial implication for residents as well as exposing the Council to potential challenge for failing to comply with the legislative requirements of the Local Government Finance Act 1992. The Council is considered to have complied with the relevant statutory provisions when the scheme was introduced therefore, maintaining the status quo does not have any legal implications

Comments checked by:

Shahin Ismail, Interim Head of Legal Services, Shahin.ismail@cherwell-dc.gov.uk

Risk Implications - Mandatory paragraph

- 7.3 There are no risk implications. If any, they will be managed as part of the operational risk register for the service and escalated as and when necessary to the leadership risk register.

Comments checked by:

Celia Prado-Teeling, Performance Team Leader,

celia.prado-teeling@cherwell-dc.gov.uk

Equalities and Inclusion Implications

- 7.4 There have been no changes to the scheme we are adopting as it follows the same policy, no ECIA required if the proposal is accepted.

Comments checked by:

Celia Prado-Teeling, Performance Team Leader,

celia.prado-teeling@cherwell-dc.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: N/A

Community Impact Threshold Met: N/A

Wards Affected

All

Links to Corporate Plan and Policy Framework

N/A

Lead Councillor

Councillor Adam Nell, Portfolio Holder for Finance

Document Information

Appendix number and title

- None

Background papers

None

Report Author and contact details

Jacey Scott – Revenues and Benefits Manager jacey.scott@cherwell-dc.gov.uk
01295 221548

Cherwell District Council

Council

19 December 2022

Amendments to Proportionality Calculations and Committee Membership and Outside Body Representative

Report of Chief Executive

This report is public

Purpose of report

To note the amendments to the constitution of political groups and amendments to the proportionality calculations and committee membership arising from a change to political Group membership. To appoint a new Cherwell District Council representative to the Oxfordshire Joint Health Overview and Scrutiny Committee.

1.0 Recommendations

The meeting is recommended:

- 1.1 To note the amended constitution of Political Groups.
- 1.2 To note the amended allocation of seats on committees that are subject to the political balance requirements as set out in Table 1.
- 1.3 To note the amendments to committee membership, as advised by the respective Leaders of the Progressive Oxfordshire Group and Labour Group (addendum to report to follow).
- 1.4 To appoint a representative to the Oxfordshire Joint Health Overview and Scrutiny Committee.

2.0 Introduction

- 2.1 On 9 November 2022 Councillor Banfield advised the Proper Officer she had left the Labour Group and was an Independent councillor.
- 2.2 On 8 December 2022, Councillor Banfield and the Progressive Oxfordshire Group Leader, Councillor Tyson, advised the Proper Officer that Councillor Banfield had joined the Progressive Oxfordshire Group.

- 2.3 A Member changing political group requires a review of the allocation of seats on committees and changes to committee membership to be made if required. This is reported to the next scheduled Council meeting and effective from the date of that meeting.

3.0 Report Details

Proportionality and Committee Membership

- 3.1 The current constitution of the Council (48 Members) is:

25 Conservative (52.08%)
10 Labour / Labour & Co-operative Party (18.75%)
7 Liberal Democrat (14.58%)
5 Independent (10.42%)
2 Green (4.17%)

- 3.2 As a result of Councillor Banfield leaving the Labour Group and joining the Progressive Oxfordshire Group, the current political groupings of Council for committee allocation is:

- Conservative Group – 25 members (all Conservative councillors)
 - Group Leader: Councillor Barry Wood
- Progressive Oxfordshire Group – 12 members (comprising 7 Liberal Democrat, 2 Green and 3 Independent (Cllrs Broad, Cotter and Banfield) councillors)
 - Group Leader: Councillor Katherine Tyson
- Labour Group – 9 members (comprising all Labour / Labour & Co-operative councillors)
 - Group Leader: Councillor Sean Woodcock
- Independent Group – 2 members (comprising 2 Independent councillors, Cllrs Sibley and Webster)
 - Group Leader: Councillor Les Sibley

- 3.3 The political balance of committees has been reviewed in accordance with the principles of political proportionality set out in the Local Government and Housing Act 1989:

- Where there is more than one political group, all seats must not be allocated to the same group.
- The majority of seats must be allocated to the group with the majority on the Council.
- When considering all seats available for allocation the total of those given to each group should match their representation on the Council overall.
- The number of seats on each individual committee allocated to groups should match their representation on the Council overall.

- 3.5 Applying these principles may not result in a precise mathematical allocation of seats. In these cases the allocations are rounded up at 0.5 and above. In the event that achieving political proportionality on all committees results in an overall over-allocation of seats to a particular group, the group with the over-allocation will be asked which seat(s) they wish to relinquish. Any such seats will then be reallocated to group(s) with an overall under-allocation of seats.

3.6 Under the Local Government (Committees and Political Groups) Regulations 1990 made pursuant to the Local Government and Housing Act 1989, allocations of committee seats are made to political groups and any member not in a political group is consequently not automatically entitled to seats on committees. There are no such members currently and the committee allocations take account of the Groups notified to the Chief Executive as set out below.

- Conservative Group, 25 Members (52.08%)
 - Leader: Cllr Barry Wood
- Progressive Oxfordshire Group, 12 members (25.00%)
 - Leader: Cllr Katherine Tyson
- Labour Group, 9 members (18.75%)
 - Leader: Cllr Sean Woodcock
- Independent Group, 2 members (4.17%)
 - Leader: Cllr Les Sibley

3.7 Table 1 sets out the arithmetical product of the rules for the Council's committees subject to the political balance requirements.

3.8 The proportionality calculations require the following adjustments to achieve the required balance across and within committees. The adjustments are indicated in italics in Table 1.

- Conservative Group has two additional seats. These are on Appeals Panel and Planning Committee (plus an additional named substitute on Planning Committee).
- Labour Group gives up three seats. These are on Planning Committee (including a named substitute) and Personnel Committee.
- No adjustments are required for the Independent Group.

Table 1

Committee	TOTAL	Conservative	Progressive Oxfordshire	Labour	Independent
Accounts, Audit & Risk Committee	8	4	2	2	0
Appeals Panel	10	6 (+1)	2	2	0
Budget Planning Committee	12	6	3	2	1
Licensing Committee	12	6	3	2	1
Overview & Scrutiny	12	6	3	3 (+1)	0 (-1)
Personnel Committee	12	6	3	2	1
Planning Committee	18	10 (+1)	5	2 (-1)	1
Standards Committee	8	4	2	2	0
Proportional Total by Committee	92	46	23	17	5
Aggregate Entitlement	92	48	23	17	4
Adjustment Required	N/A	Plus 2	0	0	Minus 1

3.8 The Constitution sets out that the Planning Committee has 12 named substitutes. These appointments are not included in the main committee proportionality calculations above but the number of substitutes per Group should reflect the political makeup of the Committee with the adjustment to ensure each Group has a named substitute. Groups should appoint the number of named substitutes as set out below:

- Conservative Group - 6
- Progressive Oxfordshire - 4
- Labour - 1
- Independent – 1

3.9 Political Groups must have regard to the following when nominating Committee members:

- Overview and Scrutiny Committee must not include any members of the Executive
- Personnel Committee members must include at least one member of the Executive and may not include members of the Appeals Panel
- Appeals Panel members may not serve as members of the Personnel Committee

3.9 As a result of the revised proportionality calculations:

- No further adjustments are required by the Conservative Group or Independent Group to those agreed at the 18 July 2022 Council meeting when proportionality was last considered. Therefore there are no changes to committee membership for either Group.
- The Labour Group loses a seat on Planning Committee (and a named substitute) to Progressive Oxfordshire. The Labour Group is entitled to two seats on all other Committees. The adjustments required result in the Labour Group continuing to have 3 seats on Overview and Scrutiny Committee.
- The Progressive Oxfordshire Group gains a seat on Licensing Committee, a seat on Planning Committee and an additional named substitute on Planning Committee.

Amendments to Committee appointments

3.10 Councillor Banfield was previously nominated by the Labour Group to be a member of Appeals, Panel, Licensing Committee and Standards Committee. As Councillor Banfield has left the Labour Group, she no longer sits on these committees in this capacity.

Appeals Panel

Remove – Councillor Banfield

Licensing Committee

Remove – Councillor Banfield

Standards Committee

Remove – Councillor Banfield

- 3.11 In light of the revised proportionality calculations, the Progressive Oxfordshire Group Leader has advised the following amendments (to follow):

Licensing Committee

Add – TBC

Planning Committee

Add permanent member – TBC

Add named substitute – TBC

- 3.12 In light of Councillor Banfield leaving the Labour Group and the revised proportionality calculations, the Labour Group Leader has advised the following amendments (to follow):

Appeals Panel*

Add – TBC

Planning Committee

Remove permanent member – TBC

Remove named substitute – TBC

Standards Committee*

Add - TBC

*The appointments to Appeals Panel and Standards Committee are to appoint a replacement Labour Group member

Representative to Oxfordshire Joint Health Overview and Scrutiny Committee

- 3.13 At the 18 May 2022 Annual Council meeting, Councillor Slaymaker was appointed as the council's representative to the Oxfordshire Joint Health Overview and Scrutiny Committee.
- 3.14 Due to other commitments, Councillor Slaymaker has requested that he be replaced as the Cherwell District Council representative on the Oxfordshire Joint Health Overview and Scrutiny Committee.
- 3.15 Council is therefore asked to appoint a representative to the Oxfordshire County Council Health Overview and Scrutiny Committee. The representative cannot be a member of the Executive.

4.0 Conclusion and Reasons for Recommendations

- 4.1 A change in political group membership has resulted in a review of the allocation of seats on committees that are both subject to and not subject to the political balance requirements with amendments to committee membership. The Constitution requires Council to agree each of these aspects.
- 4.2 Council is responsible for appointing a representative to the Joint Oxfordshire Overview and Scrutiny Committee.

5.0 Consultation

Group Leaders

Amended appointments will be circulated as an addendum to the report

6.0 Alternative Options and Reasons for Rejection

6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Option 1: Not to amend appointments to committees. This is rejected as the change of political group membership has resulted in amended entitlement to seats on committees for the Progressive Oxfordshire Group and Labour Group .

7.0 Implications

Financial and Resource Implications

7.1 There are no financial implications arising directly from the report.

Comments checked by:

Joanne Kaye, Strategic Business Partner, joanne.kaye@cherwell-dc.gov.uk

Legal Implications

7.2 It is a legal requirement for Council to agree proportionality and appoint members to Committee based on the nominations of Group Leaders

Comments checked by:

Shiraz Sheikh, Assistant Director Law and Governance & Monitoring Officer, shiraz.sheikh@cherwell-dc.gov.uk

Risk Implications

7.3 In ensuring the legal requirements are met risk to the authority is mitigated.

Comments checked by:

Shona Ware, Assistant Director Customer Focus, Shona.Ware@cherwell-dc.gov.uk

Equalities and Inclusion Implications

7.4 Appointments are made using the principles of proportionality as set out in the Local Government and Housing Act 1989 (Section 15). Each Group appoints whomever it wishes to serve on a committee to fulfil its proportional entitlement.

Comments checked by:

Shona Ware, Assistant Director Customer Focus, Shona.Ware@cherwell-dc.gov.uk

8.0 Decision Information

Key Decision

Financial Threshold Met: N/A

Community Impact Threshold Met: N/A

Wards Affected

N/A

Links to Corporate Plan and Policy Framework

None, this report is pursuant to a statutory requirement

Lead Councillor

N/A

Document Information

Appendix number and title

- None

Background papers

None

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Council

Monday 19 December 2022

Agenda Item 11, Motions

Motion Proposer: Councillor Dan Sames

Motion Seconder: Councillor John Broad

Topic: One Planet Living

Motion

“In 2019 CDC declared a climate a climate emergency committing to ensure our operations and activities are net zero by 2030 and to do our part to achieve a net zero district by 2030 through leading by example. CDC’s Climate Action Framework sets out the detail of how this will be achieved and emissions have reduced by 51% between 2008/09 to 2020/21.

However, responding to the climate emergency requires more than simply reducing carbon emissions. Currently our lifestyles consume the resources of 3 planets, we must do better to live within our means and the resources of one planet.

One Planet Oxfordshire is a collaboration of councils, businesses, schools and community groups that have a vision of a world in which people enjoy happy, healthy lives within their fair share of the earth’s resources, whilst leaving space for wildlife and wilderness. It’s about living and growing sustainably to minimise impacts on the environment and maximise benefits to people.

At August’s Overview and Scrutiny committee the ten One Planet principles that contribute to planning, delivering and committing to a more sustainable future were presented to offer a framework within which the council could operate.

These principles are:

- Health and happiness
- Equity and local economy
- Culture and community
- Land and nature
- Sustainable water
- Local and sustainable food
- Travel and transport
- Materials and product
- Zero waste
- Zero carbon energy

This council resolves to support the One Planet Oxfordshire shared vision and commits to review operations and activities using the One Planet Living Framework.”

Motion Proposer: Councillor Sean Woodcock

Motion Seconder: TBC

Topic: Tenants Charter

Motion

“The coroner's inquest into the death of Awaab Ishak in Rochdale should, like the Grenfell Tower Fire, be a watershed moment in the relationship between tenants and landlords.

Yet with 50% of properties in Cherwell not meeting basics energy efficiency standards and an energy bill crisis, tenants risk being left in cold, damp and mouldy properties.

This Council recognises its key role in protecting tenants in both the private and social rented sectors

And this Council calls on the Executive:

1. To establish a Tenants Charter setting out minimum standards that the council and that all tenants expect.
2. To run a public awareness campaign of the Charter, encouraging tenants to be aware of their rights and of where local sources of advice and support can be found.
3. To call on the government to bring forward the Private Renters Reform Bill, the promised ban on 'no fault' evictions and to commit to a national campaign of insulating poor homes."

Motion Proposer: Councillor Mark Cherry

Motion Seconder: Councillor Matt Hodgson

Topic: “Get Home Safely”

Motion

“This Council notes that:

- Shift work is widespread in many industries, particularly hospitality, among others in health, cleaning and security work.
- Many workers, especially women, are increasingly worried about their safety travelling to and from work at night

This Council believes that:

- While employers may feel their duty of care to staff ends when an employee finishes a shift, they also need to take into consideration journeys home, especially during unsocial hours;

- Employers should take reasonable steps to ensure workers can get home safely at night.

This Council will

- Refer to the Licensing Committee to consider how it might be able to use its powers to adopt a policy whereby our Licensing Committee will ensure the process for approving late night licences will be linked to the provision of employee transport home, in balance with the size, type, and location of the premises concerned.
- The Licensing Committee to report back.”

Motion Proposer: Councillor Ian Middleton

Motion Seconder: Councillor David Hingley

Topic: Overview and Scrutiny Committee Chair

Motion

It's not best practice for a council to 'mark their own homework' and in many other local authorities it is common practice for scrutiny committees to be chaired by members of the opposition group.

Such a practice was affirmed during discussions with Local Government Authority representatives during the recent Local Peer Review process. It's also common practice in other authorities throughout Oxfordshire. This convention helps to build trust and increase accountability.

The Council requests that the Monitoring Officer considers, as part of his Constitution Review Programme, that the appointment of the Chairman of the Overview & Scrutiny Committee be from the opposition group as part of the normal annual appointments process.”

Motion Proposer: Councillor Dorothy Walker

Motion Seconder: Councillor Angus Patrick

Topic: Environmental, Social and Governance (ESG) Investment

Motion

“Environmental, Social and Governance (ESG) principles have become ever more important in recent years due to the focus of organisations such as ours on issues surrounding climate change and ethical values.

ESG audits are commonplace in many organisations and apply a set of standards measuring their impact on society and the environment as well as how transparent and accountable they are.

This council holds significant sums on deposit with numerous investment bodies, including banks, other local authorities and the Oxfordshire pension fund. We also have some internal investments, particularly associated with commercial property and property investment.

This Council therefore requests that the Executive consider the following proposals

1. holding transparent annual audits of all our investments to be measured against ESG principles which will be published alongside the annual accounts.
2. To divest as soon as practicable from any investment that runs contrary to ESG principles and any other standards set by the council, particularly with respect to any funds connected with fossil fuels, unfair labour practices or exploitation of workers.
3. To urge the Oxfordshire Pension Fund to further divest from fossil fuel investments at the earliest opportunity with a firm timetable for complete divestment from such funds by 2030.”